

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0012 (Research Park Rezoning)

DISTRICT: 6

ADDRESS: 12455, 12501 Research Boulevard North Bound, 12489, 12515 ½, 12517 ½
Research Boulevard Service Road NB, 12220 ½ Riata Trace Parkway

ZONING FROM: LI

TO: LI-PDA

The applicant is requesting a rezoning to add a Planned Development Area overlay with the following conditions:

Applicable Site Development Regulations

- A. Unless otherwise modified herein development of Lot 11 shall comply with applicable City of Austin rules, regulations and ordinances.
- B. If there is a conflict between this Ordinance and applicable City of Austin rules, regulations and ordinances, this Ordinance including the Exhibits shall control.

Authorized Uses

- A. All Limited Industrial (LI) uses are permitted uses of Lot 11, except as set forth in Subsection B of this Section. The following are additional permitted uses:

- Multi-Family Residential
 - Research Testing Services
 - Research Warehousing Services

- B. The following uses are prohibited as principal uses of Lot 11:

- Automotive Repair Services
 - Campground
 - Drop-Off Recycling Collection Facility
 - Funeral Services
 - Kennels
 - Pedicab Storage and Dispatch
 - Recycling Center
 - Resource Extraction
 - Scrap and Salvage
 - Service Station
 - Theater

Site Development Regulations

- A. Base District Regulations

- 1) Development of the Property shall conform to the site development regulations authorized for the Limited Industrial Services (LI) district as set forth in the City Code, except as provided for in this Ordinance.
 - 2) The following development regulations shall apply only to Lot 11.
 - a) The minimum lot size is 5,750 square feet.

- b) The minimum lot width is 50 feet.
- c) There is no minimum interior side yard, rear yard, front yard, or street yard setbacks.
- d) The maximum height is 60 feet.
- e) The maximum impervious cover and maximum building coverage is set forth by the applicable watershed limitation.
- f) The maximum floor-to-area ratio is 2:1.

SITE AREA: 179.14 acres

PROPERTY OWNER: Karlin Research Park Development, LLC,
Karlin Research Park, LLC (Matthew Schwab)

AGENT: Armbrust & Brown, PLLC (Richard T. Suttle)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends LI-PDA, Limited Industrial-Planned Development Area Combining District, zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

August 17, 2021: Postponed to September 7, 2021 at the neighborhood's request by consent (10-0, R. Woody-absent); E. Ray-1st, A. Dankler-2nd.

September 7, 2021: Approved staff's recommendation of LI-PDA zoning, with 1:1 FAR and the following prohibited uses: Automotive Repair Services, Basic Industry, Building maintenance services, Campground, Commercial off-street parking, Construction sales and services, Convenience Storage, Custom Manufacturing, Drop-Off Recycling Collection Facility, Funeral Services, General Warehousing and Distribution, Kennels, Laundry Services, Light Manufacturing, Limited Warehousing and Distribution, Maintenance and Service Facilities, Outdoor Entertainment, Pedicab Storage and Dispatch, Recycling Center, Resource Extraction, Scrap and Salvage, Service Station, Theater, Transportation Terminal and Vehicle Storage (10-0, N. Barrera-Ramirez-off the dais); A. Denkler-1st, T. Bray-2nd.

CITY COUNCIL ACTION:

October 14, 2021

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a 179+ tract of land that has access onto McNeil Drive and onto the frontage road of Research Boulevard/U.S. Highway 183 Northbound. The property is developed with office, warehouse and manufacturing uses. The specific area in Lot 11 (which is approximately 31 acres) appears to contain an electric switching station, a vacant parking structure and undeveloped land. The lots to the north are developed with single-family residential uses (Old Milwood Neighborhood) and a detention pond. To the east, there is a multifamily use (Riata Resort Apartments), a small retail center and office uses (Riata Gateway). The property to the south fronting Research Boulevard is developed with office buildings (Research Park Plaza). To the west, across McNeil Drive, there is a day care use, a retail use, offices, a convenience storage use and automotive washing. The applicant is requesting a rezoning to add a Planned Development Area (PDA) combining district to the LI base district to retain the office/industrial and warehouse uses and add a 350-unit multifamily use on Lot 11 along the northeastern side of the property (*Please see Applicant's Request Letter and Proposed PDA Standards – Exhibit C*).

The staff is recommending Limited Industrial-Planned Development Area District zoning as the property meets the intent of the LI-PDA combining district. The zoning would be compatible and consistent with the surrounding uses because there are commercial and industrial uses located to the north, south and west and multifamily residential uses and commercial uses to the east. LI-PDA zoning would allow this site to be redeveloped with a mixture of high-density residential, office, commercial and industrial uses. This location is appropriate for the proposed mixture of uses because the property in question is near the intersection of a major arterial roadway, McNeil Road, and a highway, Research Boulevard/U.S. Highway 183. The property is within 800 feet of the Jollyville Activity Corridor and 1,550 feet from the 183 and McNeil Neighborhood Center. The addition of multifamily residential through the proposed planned development area will provide for additional housing opportunities in this area of the city.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Limited Industrial Service district is intended as an area primarily for commercial services and limited manufacturing uses, generally on moderately sized sites.

Planned Development Area combining district is intended for combination with selected commercial and industrial base districts, in order to modify base district provisions as necessary to allow for appropriate industrial and commercial uses or to reflect the terms

of a Planned Development Area agreement following annexation of properties subject to such an agreement.

2. *The proposed zoning should promote consistency and orderly planning.*

The LI-PDA zoning district would be compatible and consistent with the surrounding uses because there are commercial and industrial uses located to the north, south and west and multifamily residential uses to the east.

3. *Zoning changes should promote an orderly relationship among land uses.*

LI-PDA zoning would allow this site to be developed with a mixture of high-density residential, office, commercial and industrial uses. This location is appropriate for the proposed mixture of uses because the property in question is near the intersection of a major arterial roadway, McNeil Road, and a highway, Research Boulevard/U.S. Highway 183. The property is located 800 feet from the Jollyville Activity Corridor and 1,550 feet from the 183 and McNeil Neighborhood Center.

4. *The proposed zoning should allow for a reasonable use of the property.*

The LI-PDA zoning district would allow for a fair and reasonable use of the site. The proposed addition of the Planned Development Area Combining District will allow for high-density residential uses, which will provide desirable housing opportunities for the people that work in the surrounding commercial and industrial areas.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LI	Warehouse/Manufacturing (Research Park- former Texas Instruments site)
North	GR-MU-CO, SF-1, CS-CO, I-RR, SF-2	Day Care (Stepping Stone), Retail (Cloud House Vapor), Vacant Lot, Office, Convenience Storage (Extra Space Storage), Automotive Washing (County Line Car Wash), Single Family Residences
South	LI	Office (Research Park Plaza)
East	SF-2, LI, MF-2-CO, GR-MU-CO, LI	Single Family Residences (Milwood Neighborhood), Detention Pond, Multifamily Residential (Riata Resort Apartments), Retail Center (Riata Bar & Grill, Minh's Café, Food Mart, TruWest Credit Union, Yoga, Martinizing Cleaners), Office (Riata Gateway)
West	LI	Manufacturing, Office, Warehouse

NEIGHBORHOOD PLANNING AREA: N/ATIA: Deferred to Site PlanWATERSHED: Walnut Creek,
Rattan CreekSCHOOLS: Round Rock I.S.D.Jollyville Elementary School
Canyon Vista Middle School
Westwood High SchoolNEIGHBORHOOD ORGANIZATIONS:Bike Austin
Friends of Austin Neighborhoods
Homeless Neighborhood Association
SELTEXAS
Sierra Club, Austin Regional Group
TNR BCP- Travis County Natural ResourcesAREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2020-0027.SH – Arbor Park (6306 McNeil Drive)	I-RR to MF-3	5/05/20: Approved the staff's recommendation of MF-3 zoning (8-0, Nadia Barrera-Ramirez and J. Kiolbassa-absent); B. Evans-1st, H. Smith-2nd.	6/04/20: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200604-032 for MF-3 district zoning was approved on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.
C14-2019-0008 (Honeycomb Park: 6402 McNeil Drive)	I-RR to MH	5/07/19: Approved staff's recommendation of MH zoning by consent (9-0, N. Barrera-Ramirez-absent); D. King-1 st , A. Tatkow-2 nd .	6/06/19: The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20190606-088 for mobile home residence (MH) district zoning was approved on Council Member Flannigan's motion, Council Member Renteria's second on a 10-0 vote. Council Member Harper-Madison was absent.

<p>C14-2017-0042 (12602 Blackfoot Trail)</p>	<p>LR-CO, SF-2 to CS-1-MU* *On May 16, 2017, the applicant submitted a letter amending the rezoning request to CS- MU.</p>	<p>8/15/17: Approved maintaining SF-2 zoning for the existing Tract 1 and GR-MU-CO zoning for the existing Tract 2, with the following conditions for Tract 2: 1) Prohibit Alternative Financial Services, Automotive Washing (of any type), Bail Bond Services, Drop-Off Recycling Collection Facility, Medical Office-exceeding 5,000 sq. ft. gross floor area, Medical Offices-not exceeding 5,000 sq. ft. gross floor area, Outdoor Entertainment, Pawn Shop Services, Service Station, Congregate Living, Guidance Services, Hospital Services (General), Hospital Services (Limited), Residential Treatment and Drive-In Services and 2) maintain the condition from Ordinance No. 9907722-46 that, "Pedestrian and vehicular traffic associated with a non-residential use on the Property may not access Blackfoot Trail." (7-0, D. Breithaupt, B. Evans, S. Lavani and S. Trinh-absent); J. Duncan-1st, A. Aguirre-2nd.</p>	<p>10/19/17: Approved GR-MU zoning on 1st reading only (8-3, A. Alter, L. Pool, K. Tovo-No); J. Flannigan-1st, P. Renteria-2nd.</p> <p>12/07/17: Motion to approve GR-MU zoning, with a public restrictive covenant document to include the provision to restrict vehicular access from the Property to Blackfoot Trail. J. Flannigan-1st, G. Casar-2nd. A</p> <p>Amendment to include the provision to restrict vehicular access from Blackfoot Trail in a conditional overlay in the draft ordinance (4-5, S. Adler, O. Houston, G. Casar, A. Kitchen, J. Flannigan-No; D. Garza and E. Troxclair-off dais); K. Tovo, L. Pool-2nd.</p> <p>Main motion to approve GR-MU zoning, with access restriction in a public restrictive covenant document, on 2nd reading only (6-3, A. Alter, L. Pool and K. Tovo-No; D. Garza and E. Troxclair-off the dais).</p> <p>12/14/17: A motion to approve the ordinance for community commercial-mixed use combining (GR-MU) district zoning with conditions was made by Council Member Flannigan and seconded by Council Member Houston.</p> <p>The following additional conditions are added to the ordinance:</p> <p>Part 2: The Property with the boundaries of the conditional overlay combining district established by the ordinance is subject to the following conditions: The following uses are prohibited uses for the Property: A. Restaurants (general) B. Liquor sales as an accessory use to commercial uses is prohibited.</p>
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			<p>In addition, the motion included the approval of the new restrictive covenant to prohibit vehicular traffic associated with non-residential use on property to Blackfoot Trail.</p> <p>A substitute motion was made by Council Member Pool to approve the ordinance for neighborhood commercial –mixed use (LR-MU) combining district zoning with a conditional overlay to prohibit Restaurant (general) use, and liquor sales use as an accessory use to commercial use. The substitute motion failed on Council Member Pool’s motion, Mayor Pro Tem Tovo’s second on a 3-8 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Alter and Pool. Those voting nay were: Mayor Adler, Council Members Casar, Flannigan, Garza, Houston, Kitchen, Renteria, and Troxclair.</p> <p>A motion to approve the provision with vehicular traffic to be included in the conditional overlay rather than the restrict covenant failed on Mayor Pro Tem Tovo’s motion, Council Member Pool’s second on a 3-8 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Alter and Pool. Those voting nay were: Mayor Adler, Council Members Casar, Flannigan, Garza, Houston, Kitchen, Renteria, and Troxclair.</p> <p>Ordinance No. 20171214-102 was approved for community commercial-mixed use combining (GR-MU) district zoning with the additional conditions listed above on Council Member Flannigan’s motion, Council Member Houston’s second on an 11-0 vote.</p>
C14-2011-0029 (Colonial at Quarry Oaks, 6263 McNeil Drive)	MF-3-CO to MF-3-CO	6/07/11: Approved staff’s recommendation of MF-3-CO zoning, with CO that would limit the site to uses that generate no more than 3,545 vehicle trips per	6/23/11: Approved MF-3-CO district zoning on consent on 1 st reading (7-0); B. Spelman-1 st , L. Morrison-2 nd .

		day and the property would be subject to the conditional overlay conditions set out in Ordinance No. 940203-I and in Ordinance No. 930610-M, with the exception of Part 2.4., that states "No multifamily development of Tract 2, or any portion thereof, shall be constructed or maintained within 25 feet of Melrose Trail." and public RC for TIA conditions, by consent (5-0, G. Bourgeois- absent); P. Seager-1 st , D. Tiemann-2 nd .	7/28/11: Approved MF-3-CO zoning on consent on 2 nd /3 rd readings (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-2011-0046 (6207 McNeil)	RR to W/LO	6/07/11: Approved staff's recommendation of W/LO-CO zoning, the CO will maintain a 40-foot buffer/ building setback along the north property line of the site, by consent (5-0, G. Bourgeois- absent); P. Seager-1 st , D. Tiemann-2 nd .	6/23/11: The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote. A motion to reconsider item 130 was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote. The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20110623-130 for warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.
C14-05-0086 (McNeil House Apartments: 6280 McNeil Drive)	I-RR to MF-2	8/16/05: Approved staff's recommendation for MF-2 zoning by consent (8-0, K. Jackson- absent); J. Gohil-1 st , M. Hawthorne-2 nd .	9/29/05: Approved MF-2 zoning by consent (7-0); all 3 readings
C14-01-0063 (Baunach Neighborhood Office - 12719 Dakota Lane)	SF-3 to LO	6/26/01: Approved staff's alternate rec. of NO-MU-CO zoning, with a CO to limit the permitted uses to Administrative and Professional Office and Software Development, allow for a rollback provision to SF-1	8/02/01: Approved PC rec. of NO-MU (6-0); all 3 readings

		if the office use ceases, and limit the site to 20 trips per day; by consent (8-0)	
C14-00-2219 (12716-12728 Dakota Lane)	RR, SF-1 to GO	2/13/01: Approved staff alternate rec. of GO-CO (TR1) & LO-CO (TR2) with conditions (9-0)	3/22/01: Approved GO-CO (TR1) & LO-CO (TR2) with conditions (7-0); all 3 readings
C14-00-2218 (6514 McNeil Drive)	I-RR to GO	2/13/01: Approved staff rec. of GO-CO by consent (9-0)	3/22/01: Approved GO-CO zoning, with the following conditions: 660 vehicle trip limit and 40 foot height limit (7-0); all 3 readings

RELATED CASES: SP-2021-0124C

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Research Blvd SVRD NB	102'	Defer to TxDOT	38'	4	Yes	Yes	Yes
Riata Trace Pkwy	116'	104'	56'	3	Yes	Yes	Yes
Oak Knoll Dr	153'	60'	24'	3	Yes	Yes	Yes
McNeil Dr	Variable atm. 94'-104'	104'	60'	4	Yes	Yes	

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning case is located on the south side of McNeil Drive and north side of Research Boulevard and contains an office park and light industrial uses on a 179.14 acre site. The property is located 800 feet from the **Jollyville Activity Corridor** and 1,550 feet from **the 183 and McNeil Neighborhood Center**. The property is surrounded by retail and residential uses to the north; to the south are office uses and Highway 183 (Research Boulevard); to the west are commercial and light industrial uses; and to the east is vacant land and residential uses. The proposal is to retain the office/industrial and warehouse uses and add 350 unit multifamily apartment complex on approximately 31 acres of the property, via a LI to LI-PDA zoning change.

Connectivity

There is no CapMetro stop located less than a mile away from the subject property. Research Boulevard has a public sidewalk while McNeil Drive has only an intermittent public sidewalk infrastructure, making walking in this area problematic. There are a few retail and commercial options in the area but no walkable civic uses.

Imagine Austin

The subject property is near the **183 and McNeil Neighborhood Center** as identified on the Imagine Austin's Growth Concept Map. A Neighborhood Center is the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map, with a focus on **creating local businesses and services**—including doctors and dentists, shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses that generally serve the center and surrounding neighborhoods. Regional, town, and neighborhood centers are supposed to be walkable, bikeable, and supported by transit. There is also an Activity Center located 800 feet from Research Boulevard.

The following IACP policies are also relevant to this case:

- **LUT P20.** Locate industry, warehousing, logistics, manufacturing, and other freight-intensive uses in proximity to adequate transportation and utility infrastructure.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Environmental

The project is proposing to rezone from LI to LI-PDA to enable office and multi-family development in an area currently zoned LI.

Staff does not support the language establishing vested rights proposed in Exhibit A, Section 1(A). Projects should be subject to code at the time of site plan or subdivision permit application not at time of PDA approval.

Exhibit A, Section 3(A)(e) is proposing to increase allowable impervious cover from 60% to 80% gross site area. The site is in the Suburban watershed regulation area, and watershed regulations limit multi-family projects to 60% impervious cover. Staff do not support the requested increase in impervious cover in excess of the watershed regulations in City Code 25-8. Environmental code modifications should not be allowed within PDA re-zoning cases. If the applicant wishes to modify code requirements affecting water quality regulations, PUD zoning would be a more appropriate zoning option.

Comments cleared. The applicant has amended their PDA request to state that the maximum impervious cover and maximum building coverage is set forth by the applicable watershed limitation.

Fire

No comments.

Parks and Recreation

Parkland dedication will be required at the time of subdivision or site plan application for new residential units proposed by this rezoning, multifamily with LI-PDA, per City Code § 25-1-601, as amended. The intensity of the proposed development creates a need for over six acre of additional parkland, per requirements described in § 25-1-602; when over six acres, parkland must be dedicated – see § 25-1-605 (A)(2)(a). As such, land dedication shall be required. Any remaining fees in-lieu after dedication shall also be required.

The surrounding areas are currently park deficient, defined as being outside walking distance to existing parks. The dedication would satisfy the need for additional parks in park deficient areas of North Austin, a specific recommendation in the Parks and Recreation Department's Long Range Plan. The land to be dedicated must comply with PARD standards, including those described in Title 25, Article 14, as well as the Parkland Dedication Operating Procedures.

Should there be any remaining fees in-lieu, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov.

Site Plan

SITE PLAN REVIEW OF ZONING CASES

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. The multifamily residential component will also be subject to open space requirements.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies sufficient right-of-way Riata Trace Parkway and Oak Knoll Drive and identifies a need for 104' of right-of-way McNeil Drive. Sufficient right-of-way for Research Boulevard SVRD NB is deferred to TxDOT. Traffic impact analysis was waived, except for the development on Lot 11, a new site plan (or revision to any site plan that generates new trips) within the PDA would not be approved without a master TIA for all PDA sites. The master TIA shall include the entire zoning tract area, including Lot 11.

Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

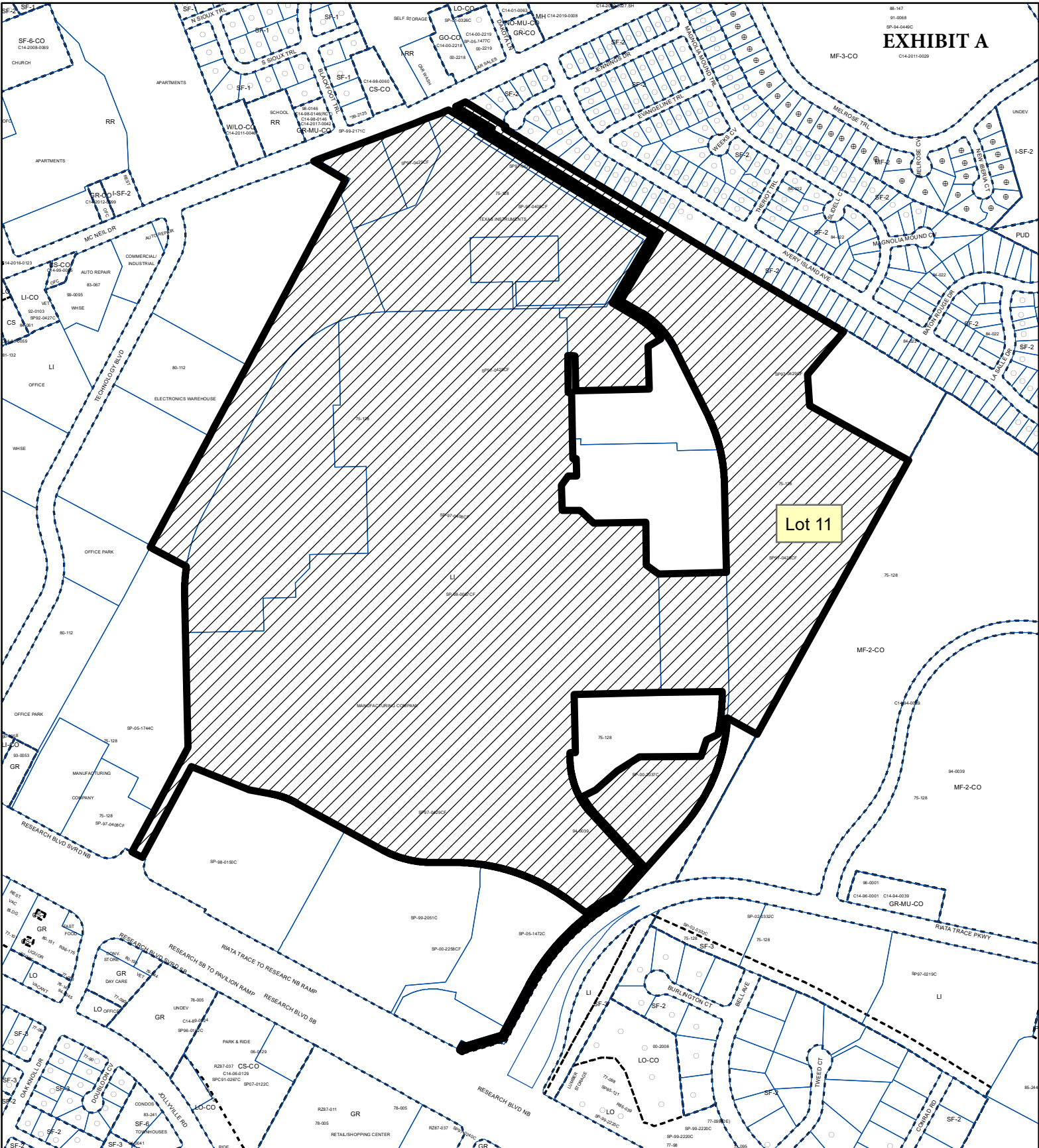
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Case Map
- B. Aerial Map
- C. Applicant's Request Letter and Proposed PDA Standards
- D. Correspondence from Interested Parties
- E. Conditions Proposed by the Neighborhood




EXHIBIT A



ZONING

ZONING CASE#: C14-2021-0012



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

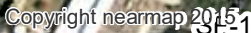
1" = 600'

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ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

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RICHARD SUTTLE, JR.
(512) 435-2310
rsuttle@abaustin.com

January 22, 2021

Rosie Truelove
Director, Housing & Planning Department
City of Austin
1000 E. 11th Street, Suite 200
Austin, Texas 78702

Re: Rezoning Request for Research Park (the "Application")

Dear Mrs. Truelove:

This firm represents and this Application is submitted on behalf of Karlin Research Park, LLC and Karlin Research Park Development, LLC, owner of the property subject to this Application. Karlin Research Park, LLC and Karlin Research Park Development, LLC are collectively referred to herein as "Karlin".

The property subject to this Application consists of approximately 179.14 acres of land located at 12455, 12501 Research Boulevard NB, 12515 1/2, 12517 1/2 Research Boulevard Service Road NB, and 12220 1/2 Riata Trace Parkway (the "Property"). The Property is zoned Limited Industrial Services ("LI") and is currently developed with various office, industrial, and warehouse uses.

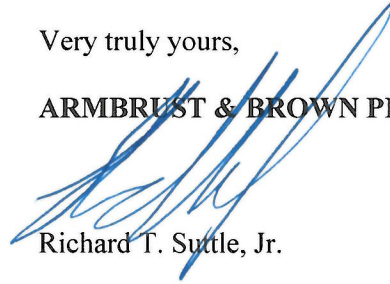
Karlin intends to redevelop portions of the Property with a mix of office and multi-family uses (the "Project"). The first phase of development will include the construction of ±350 multi-family units to be located on Lot 11 of the Research Park Subdivision (the "Multi-Family Project").

In order to facilitate development of the Multi-Family Project, this Application seeks to rezone the Property from LI to Limited Industrial Services – Planned Development Area (LI-PDA). While the entire Property is subject to rezoning, the only entitlement being requested is for phase 1. The modified development regulations proposed with this Application as provided in Exhibit "A" and attached hereto will only apply to Lot 11 of the Research Park Subdivision. The remainder of the Property included in this Application will be subject to the development regulations prescribed by the City of Austin Land Development Code ("City Code") for LI zoning. When Karlin is ready to move forward on the subsequent phases of development, a PDA amendment application will be submitted to the City to allow for the modified development regulations to apply to the remainder of the Property.

Thank you in advance for your time and consideration of this zoning request. If you have any questions or need additional information, please do not hesitate to contact me or Amanda Morrow at (512) 435-2368.

Very truly yours,

ARMBRUST & BROWN PLLC



Richard T. Suttle, Jr.

cc: Jerry Rusthoven, City of Austin
Amanda Morrow, Armbrust & Brown PLLC
Amanda Surman, Armbrust & Brown PLLC
Joe Prochot, Karlin

EXHIBIT “A”

SITE DEVELOPMENT STANDARDS

Section 1. Applicable Site Development Regulations

- A. Unless otherwise modified herein development of Lot 11 shall comply with applicable City of Austin rules, regulations and ordinances.
- B. If there is a conflict between this Ordinance and applicable City of Austin rules, regulations and ordinances, this Ordinance including the Exhibits shall control.

Section 2. Authorized Uses

- A. All Limited Industrial (LI) uses are permitted uses of Lot 11, except as set forth in Subsection B of this Section. The following are additional permitted uses:

Multi-Family Residential
Research Testing Services
Research Warehousing Services

- B. The following uses are prohibited as principal uses of Lot 11:

Automotive Repair Services
Campground
Drop-Off Recycling Collection Facility
Funeral Services
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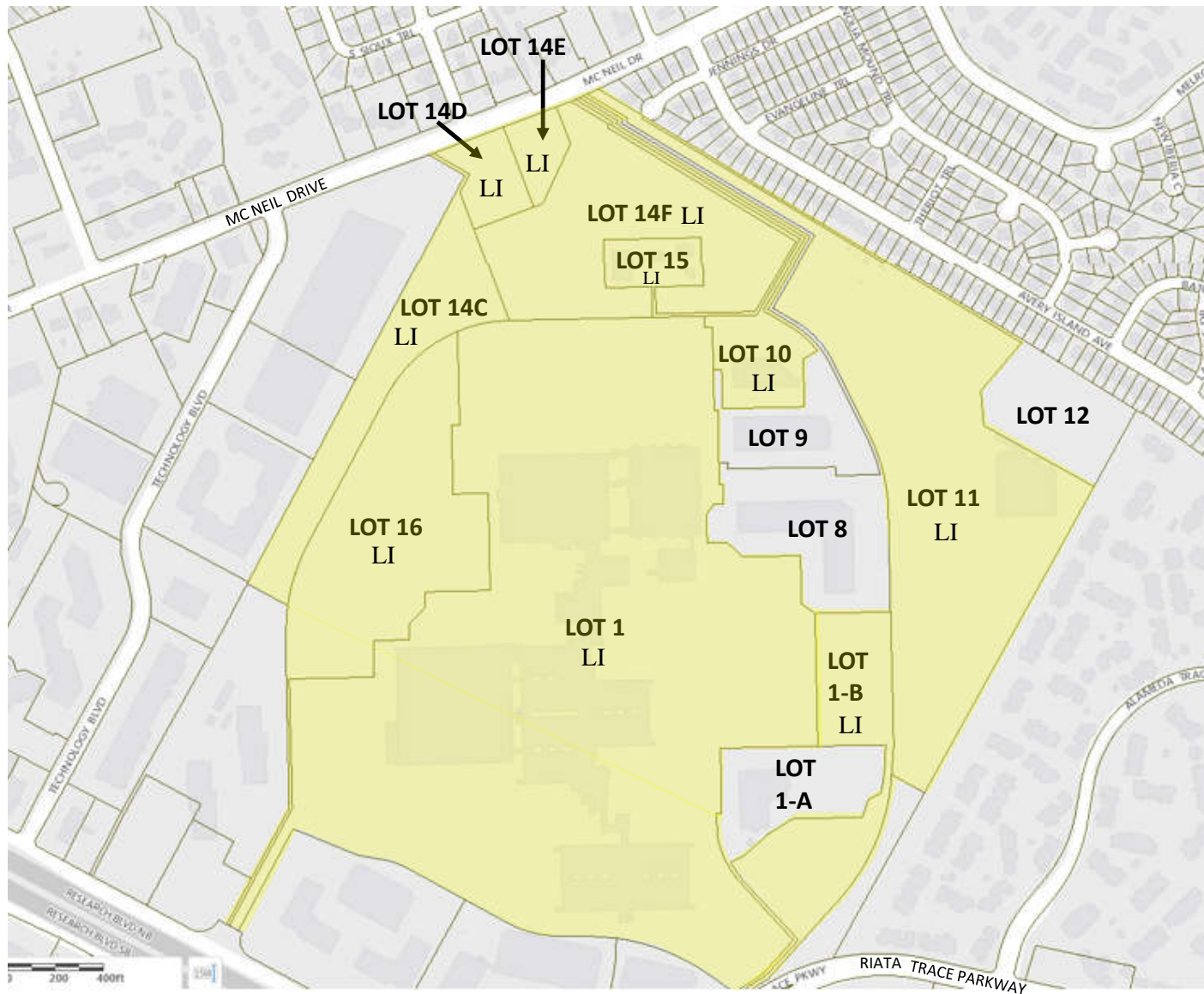
Section 3. Site Development Regulations

- A. Base District Regulations

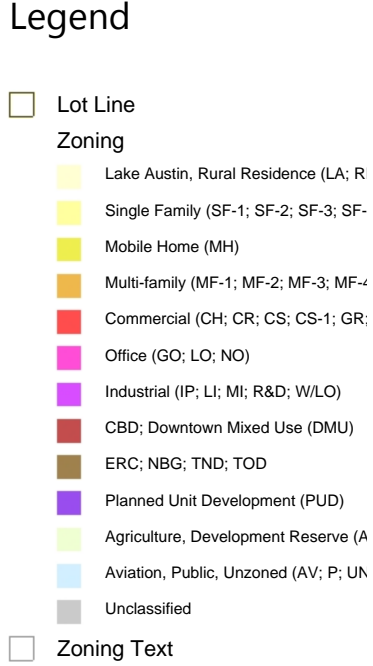
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 - b) The minimum lot width is 50 feet.
 - c) There is no minimum interior side yard, rear yard, front yard, or street yard setbacks.
 - d) The maximum height is 60 feet.

- e) The maximum impervious cover and maximum building coverage is set forth by the applicable watershed limitation.
- f) The maximum floor-to-area ratio is 2:1.

ZONING LOCATION MAP



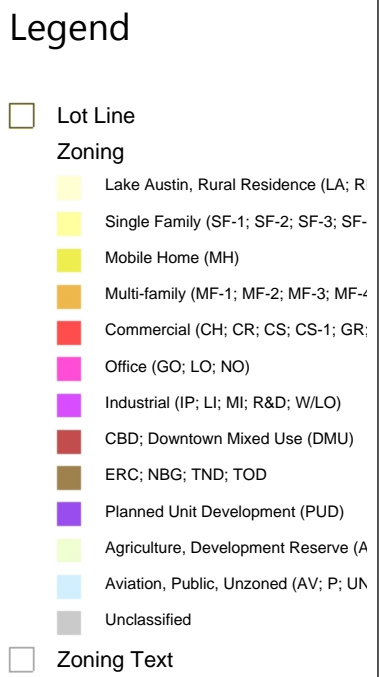
 AREAS SUBJECT TO REZONING REQUEST



Date Printed:

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Notes



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Notes

From: bffsparky@gmail.com
To: [Avila, Rosemary](#); [Sirwaitis, Sherri](#); [Brie Cheese](#)
Subject: Case # SP2021-0124C /Case # 14C-2021-0012 - 78727 _ Old Milwood Needs SPEEDS BUMPS
Date: Saturday, June 26, 2021 3:29:37 PM

*** External Email - Exercise Caution ***

I am an 17+ year resident within the 78727 Old Milwood Neighborhood.

Our area has been requesting the city to **install speed bumps, reduce speed limits, repave our damaged roads, and install Buffer Sound Walls along Palmer & McNeil** roads with no success for 15+ years to my knowledge. (Possibly longer)

Adding additional apartment complexes, large complex industries (Apple/Samsung) along with existing large retailers (HEB) etc. will not only lead to higher noise decibels in our area, but it will also exacerbate our existing small neighborhood road traffic issues.

Traffic issues have **already** and **dramatically** increased when Apple finally expanded upon their land within the last several years. We have witnessed staff from the surrounding companies & retailer customers “short-cutting” through our neighborhoods to avoid the McNeil/Palmer Street lights.

Our school children cannot safely walk to our local schools, such as McNeil Highschool & Jollyville Elementary.

We can no longer safely open car doors along our main thoroughfares, where our mailboxes are located to retrieve daily mail. Non-residential drivers have become increasing impatient, discourteous, and reckless. These drivers are going too fast, tailgating, and zipping around our parked cars without being cautious of children existing our vehicles; especially during the hours of 4pm-7pm each night.

All the while the city of Austin continues to provide tax incentives to these companies; including property taxes which are to support our local roads and schools. In my opinion, the city continues to disregard (or even acknowledge) our local resident neighborhood needs to address impacts to our traffic conditions.

Traffic accident history can be obtained for the past 20 years. You’ll note this history will include numerous intersection incidents, fatalities, local bank robbery speed chases, and even a home on Shreveport Drive had a car crash into it several years ago.

Your support in our continued local neighborhood efforts to get our roads repaved, installing speed bumps, reducing speed limits, and building sound buffers would be greatly appreciated.

We would like our voices heard, acknowledged, and addressed with transparency.

Thank you,
Denise Canary
13006 Campos Drive
Austin, TX 78727

Rosemary Avila (multi-family) case # SP2021-0124C
Rosemary.Avila@austintexas.gov 512-974-2784

Sherri Sirwaitis (zoning light industrial) Case # 14C-2021-0012
Sherri.Sirwaitis@austintexas.gov 512-974-3057

Sent from [Mail](#) for Windows 10

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From: Lester C. Wetherell II
To: [Jain, Sangeeta](#); [Sirwaitis, Sherri](#)
Subject: 14C-2021-0012
Date: Wednesday, July 21, 2021 2:39:36 PM

*** External Email - Exercise Caution ***

To Whom It May Concern,

Please keep me updated on the above zoning case as it directly affects me as I live on the cul-de-sac of Jennings Dr.

The original zoning notification made no mention of the desire to turn my cul-de-sac into a through street!

Lester C. Wetherell II
6502 Jennings Dr.
Austin, TX 78727
521 258-7227

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From: rob
To: [Sirwaitis, Sherri](#)
Subject: Drainage and folding issues due to proposed project at Oak Knoll property Case# C14-2021-0012
Date: Tuesday, July 13, 2021 11:12:14 AM

*** External Email - Exercise Caution ***

Sherri,

I am contacting you regarding a proposed project by Karlin Research Park, LLC. It is my understanding that there is a rather large business and multi-family project being proposed that has a lot of impervious ground cover as part of the project. I currently live directly behind the proposed project area and my property is currently directly affected when heavy rains come through and we have already had several close calls with flooding since they built what has been an abandoned parking garage about 23 years ago. My big concern is that if they build the project we will definitely end up flooding.

It is my understanding that the property owner was legally required to restore the space to its previous condition once the project was abandoned years ago and that obviously never occurred. I would like a new Geological survey done given that nature of the geology under this site and that fact that it is part of the Balcones Canyon land. I have already sent in my notice to the city that I am an interested party to all of this.

I am deeply concerned that due to the property owners lack of attention and action over the years, the close calls we've already had with flooding that if this project is allowed to move forward that I will have little to no recourse when my property finally does infect flood due to the amount of impervious ground cover that this project will have.

Given that 4 caves, 4 sinkholes and 3 solution cavities have been discovered on this land I think it is extremely pertinent that a new geological survey be conducted as this property may well not even be safe to build this project on.

My address is 6007 Avery Island Ave. Austin, TX. 78727. My cell number is (512)567-2998.

Sincerely,
Robert Broussard

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From: <>

Sent: Saturday, June 26, 2021 3:26 PM

To: Avila, Rosemary <Rosemary.Avila@austintexas.gov>; Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; Brie Cheese

Subject: Case # SP2021-0124C /Case # C14-2021-0012 - 78727 _ Old Milwood Needs SPEEDS BUMPS

*** External Email - Exercise Caution ***

I am an 17+ year resident within the 78727 Old Milwood Neighborhood.

Our area has been requesting the city to **install speed bumps, reduce speed limits, repave our damaged roads, and install Buffer Sound Walls along Palmer & McNeil** roads with no success for 15+ years to my knowledge. (Possibly longer)

Adding additional apartment complexes, large complex industries (Apple/Samsung) along with existing large retailers (HEB) etc. will not only lead to higher noise decibels in our area, but it will also exacerbate our existing small neighborhood road traffic issues.

Traffic issues have **already** and **dramatically** increased when Apple finally expanded upon their land within the last several years. We have witnessed staff from the surrounding companies & retailer customers "short-cutting" through our neighborhoods to avoid the McNeil/Palmer Street lights.

Our school children cannot safely walk to our local schools, such as McNeil Highschool & Jollyville

Elementary.

We can no longer safely open car doors along our main thoroughfares, where our mailboxes are located to retrieve daily mail. Non-residential drivers have become increasingly impatient, discourteous, and reckless. These drivers are going too fast, tailgating, and zipping around our parked cars without being cautious of children existing our vehicles; especially during the hours of 4pm-7pm each night.

All the while the city of Austin continues to provide tax incentives to these companies; including property taxes which are to support our local roads and schools. In my opinion, the city continues to disregard (or even acknowledge) our local resident neighborhood needs to address impacts to our traffic conditions.

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Thank you,
Denise Canary
13006 Campos Drive
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Rosemary Avila (multi-family) case # SP2021-0124C
Rosemary.Avila@austintexas.gov 512-974-2784

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Sherri.Sirwaitis@austintexas.gov 512-974-3057

Sent from [Mail](#) for Windows 10

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From: Blaine Thomas Middlebrooks
To: [Sirwaitis, Sherri](#)
Subject: Case # C14-2021-0012
Date: Tuesday, July 20, 2021 12:46:36 PM
Attachments: [Doc Jul 20 2021.pdf](#)

*** External Email - Exercise Caution ***

Good afternoon Sherri,

I received a notice on my door this afternoon in regard to this particular zoning case. I assume there is more development trying to encroach our neighborhood again. These are similar to the same notices I received when I first purchased this home where I was told no one was able to build in the lot behind my house, well that evidently was untrue since there is a multi-level apartment complex I get to now stare at right in my backyard at the end of Avery Island Ave. I am being told where this new 4 story unit is trying to be built has already been deemed too unstable for construction due to caves and sinkholes reported in the TCEQ Edwards Aquifer 2000 protection plan. What can we do to try and save our neighborhood from being engulfed in nothing but apartment complexes and other developments? Enough is enough.

Here are the requests of the residences in the Old Milwood Neighborhood:

See attachment



Blaine Middlebrooks
Loan Processor

DHI MORTGAGE

Company NMLS #14622,
10700 Pecan Park Blvd Ste 120, Austin, TX 78750
o: 512-257-5688
f: 800-799-8416 DRHNet: 85688

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Blaine Middlebrooks
Loan Processor

DHI MORTGAGE



Company NMLS #14622,
10700 Pecan Park Blvd Ste 120, Austin, TX 78750
o: 512-257-5688
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From: Kirsten Hofmann
To: [Sirwaitis, Sherri](#)
Cc: [kirsten](#)
Subject: case # C14-2021-0012 [re-send]
Date: Saturday, July 31, 2021 9:41:12 AM

RE case # C14-2021-0012

Hello - I never received a follow up from below emails (Jun-7)

I have submitted our my husband and my interest in mail in hopes this will help? [our address is 6225 Avery Island Ave, Austin TX 78727. James Ciulik/Kirsten Hofmann]

We are concerned with the proposals per the zoning case noted above

We have had flood risks in the easement behind us (near sub-station) and have even added rocks to our own property to help shore-up the wall toward the drainage ditch. Years ago, the sub-station team even issued a "cease" notice to us as they were concerned some of our backyard work was risking flooding them (and they are several feet above us on higher ground)

With simple garden work being a concern, the proposals for the lots in the proposal cause us great concern.

I have also worked at the Flextronics facility in the past, and aware of the property and propensity of flooding/water pooling. There's also substantial wild life in the area, and the Flex management is applauded for paying attention to their wildlife partners.

- We do not support development due to flood concerns
- Expanding the road is also discouraged, as people already zoom down McNeil and Avery Island (which has large speed bumps, but seem to not deter motorists). Main intersection at 183/McNeil is already the primary route, and adding larger roads will drive traffic into residential areas. No access to McNeil, widening or changes in road requested.
- Increased noise and height of structures is added concern to privacy, wildlife and meeting Edward Aquiver 2000 protection plan.
- A new geological survey is needed, given the abandoned parking garage from years ago and earlier reports of caves, sinkholes and cavities.
- Stricter limits are needed to reduce vehicle parking and any tall lighting poles within 500 feet of west easement of Avery Island
- We already are losing shade/wildlife refuge with the easement and substation, and need less concrete and tall structures.

Please don't turn Austin into Houston, destroy the few nature areas available in the area, and disregard the simple neighborhoods of North Austin. We already are short walking paths and parks. Our sidewalks are buckling and traffic worsened with the huge number of added apartments and commercial business.

I appreciate private property rights, but also acknowledge the 30+ years our neighborhood has been here and supporting growth around the perimeter. Easement is there for a reason, and Houston's flooding has shown that these changes needed stronger and more recent assessments and adherence to intent of Edward's Acquirer protection plan.

Thank you.

Kirsten Hofmann & James Ciulik
concerned citizens and impacted parties to this zoning case

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

Case Number: C14-2021-0012

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: August 17, 2021, Zoning and Platting Commission

Deborah Franke

Your Name (please print)

☐ I am in favor
☒ I object

6400 Evangeline Trail

Your address(es) affected by this application (optional)

Deborah Franke

Signature

8-13-2021

Date

Daytime Telephone (Optional): 512-496-6092

Comments: This development will be catastrophic to my neighborhood. The issues that concern me include (1) wildlife displacement (2) runoff & retention ponds (3) increased traffic during construction and post-development (4) Edwards Aquifer protection (5) lack of a new geological survey (6) loss of trees and the need to retain natural settings within the city to maintain healthy lives for us all.

If you use this form to comment, it may be returned to:

City of Austin, Housing & Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

From: Janet Brooks

Sent: Monday, August 9, 2021 12:11 AM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Janet Brooks

Subject: C14-2021-0012 zoning case objection/materials for placement in zoning commission files by Aug.11th and public files by Aug. 13th part 1 of 2

*** External Email - Exercise Caution ***

Heather, I was unaware Sherri would be unavailable when all file materials and public hearing forms are due. Will you be taking care of all of this and should other neighbors email their forms and materials to you? I already emailed Sherri a copy of what's below so she'll see it when she returns past this week's deadlines. That's when I received her out of office email to contact you.

All of this email and supporting photos and TNRCC documents objecting to this rezoning case are to be included in the file given to zoning commission this Wed. And available to public this Fri. as described in Sherri's previous email which did not give a deadline for inclusion. Items will be below this email which contains concerns/ objections/questions. Please confirm receipt and inclusion in zoning case file by prompt email. See contact info below. IF TNRCC plan cannot be sent with this email, it will be sent in next email as part 2

Environmental bjection concerns/ Questions:

1. Lot 11 multifamily proposal (SP2021-0124C includes using the wet pond in Lot 12, why isn't Lot12/wet pond included if multi family in Lot 11 is using it, who will maintain wet pond/enforce codes and ordinances if it's not included in rezoning/proposal, and how will increased demand from multifamily affect the adjacent Old Milwood neighborhood and their already strained 37 year old infrastructure, drainage, Walnut Creek And Edwards Aquifer watersheds and protection plans, floods, overflow, water, wastewater, etc.? Since about 1984, These watersheds have run through a wide and deep grassy drainage ditch in our neighborhood before flowing through pipes which empty into wet pond in Lot 12.

2. Is The existence of abandoned unfinished parking garage in Lot 11 a violation of pre-existing Edwards Aquifer Protection Plan issued by TNRCC? Since Karlin LLC et al are newer owners of these lots, are they responsible for any violation and/or requirements including that new owners cannot commence operations on these lots without a new watershed protection plan issued by the TECQ(formerly TNRCC)? In addition the geologic survey in this plan identified 4 caves, 4 sinkholes, and 3 solution cavities. Has this property become more unstable and unsafe for construction, workers, residents, and adjacent neighborhoods? Shouldn't a new geologic survey be required before rezoning is granted?

3. Parts of these 2 lots and other lots in this zoning case also are under protection of the Balcones Canyonlands and Walnut Creek watershed. Have these entities been contacted and given their approval of this rezoning case?

See photos of adjacent neighborhood Lots 11 and 12 drainage, wet pond, and abandoned parking garage structures plus copy of existing Edwards Aquifer watershed protection plan and compliance rules in part 2 email if needed, and my contact info for prompt email receipt and file confirmation of emails part 1 and 2.

Thank you,

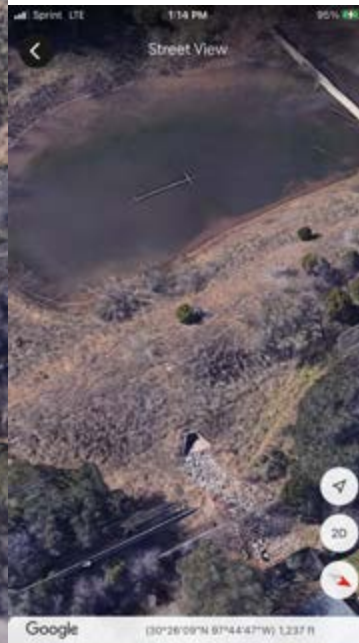
Janet Brooks
6313 Avery Island Ave.
Austin, TX 78727
512-731-1762

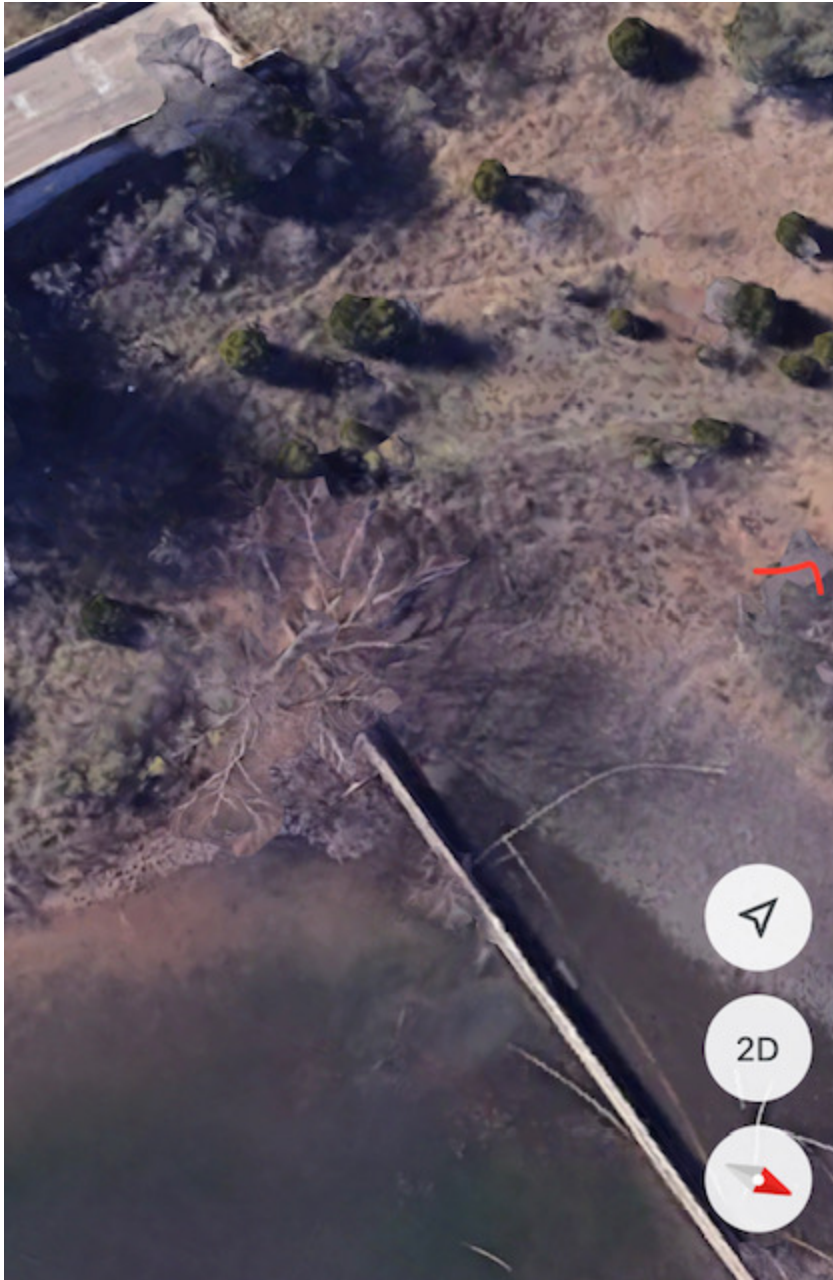
Grassy Walnut Creek Drainage Ditch perpendicular to Avery Island Ave. And houses bordering Lot 12 proposed as use by multi family in Lot 11



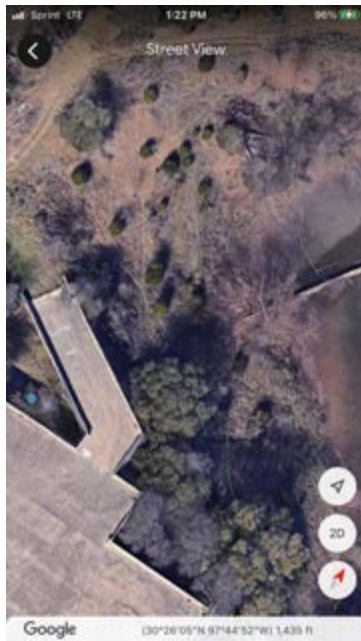
Houses near 6007 often have flooding in their backyards after heavy rains due to overflow from wet pond.







Abandoned unfinished parking garage in Lot 11 Google view of ramp to unfinished level



Street view of abandoned unfinished parking garage in Lot 11

Heather, please include the following questions and documents in files as described above and email Me prompt confirmation.

I will also email my public hearing form/request to speak by this Tues.

Thank you,
Janet Brooks
6313 Avery Island Ave.
Austin, TX 78727
512-731-1762

TNRCC 0625 TCEQ Edwards Aquifer Protection Plan,report, and rules from Nov 9 2000 and 1997

For Lots 11 and 12 c14-2021-0012 objections submitted in part 1 of 2 email and repeated below

1. Is abandoned unfinished parking garage in Lot 11 a violation of compliance rule 18?
2. Isn't new owner Karlin LIC et al required to have a new TCEQ plan as rules in this document state before commencing operations on this land AND shouldn't this happen before zoning approval?
3. Since original TNRCC geologic report indicated 4 caves, 4 sinkholes, and 3 solution cavities, isn't a new geologic survey required to assess changes to and potential dangers to construction, workers, residents, and adjacent homes buildings and and neighborhoods to ensure their health, welfare, and safety before zoning approval?

Mr John A. Mannix

Page 3

November 9, 2000

and this notice of approval shall be maintained at the project location until all regulated activities are completed.

4. Modification to the activities described in the referenced WPAP application following the date of approval may require the submittal of a plan to modify this approval, including the payment of appropriate fees and all information necessary for its review and approval prior to initiating construction of the modifications.
5. The applicant must provide written notification of intent to commence construction, replacement, or rehabilitation of the referenced project. Notification must be submitted to the Austin Regional Office no later than 48 hours prior to commencement of the regulated activity. Written notification must include the date on which the regulated activity will commence, the name of the approved plan and file number for the regulated activity, and the name of the prime contractor with the name and telephone number of the contact person. The executive director will use the notification to determine if the approved plan is eligible for an extension.
6. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved WPAP, must be installed prior to construction and maintained during construction. Temporary E&S controls may be removed when vegetation is established and the construction area is stabilized. The TNRCC may monitor stormwater discharges from the site to evaluate the adequacy of temporary E&S control measures. Additional controls may be necessary if excessive solids are being discharged from the site.
7. All borings with depths greater than or equal to 20 feet must be plugged with non-shrink grout from the bottom of the hole to within three (3) feet of the surface. The remainder of the hole must be backfilled with cuttings from the boring. All borings less than 20 feet must be backfilled with cuttings from the boring. All borings must be backfilled or plugged within four (4) days of completion of the drilling operation. Voids may be filled with gravel.

During Construction:

8. During the course of regulated activities related to this project, the applicant or agent shall comply with all applicable provisions of 30 TAC Chapter 213, Edwards Aquifer. The applicant shall remain responsible for the provisions and conditions of this approval until such responsibility is legally transferred to another person or entity.
9. If any sensitive feature (caves, solution cavities, sink holes, etc.) is discovered during construction, all regulated activities near the feature must be suspended immediately. The applicant or his agent must immediately notify the Austin Regional Office of the discovery of the feature. Regulated activities near the feature may not proceed until the executive director

DEED RECORDATION AFFIDAVIT

Edwards Aquifer Protection Plan

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

BEFORE ME, the undersigned authority, on this day personally appeared John A. Mannix (for Research Park Properties Trust) who, being duly sworn by me, deposes and says

- (1) That my name is John A. Mannix (for Research Park Properties Trust) and that I own the real property described below
- (2) That said real property is subject to an EDWARDS AQUIFER PROTECTION PLAN which was required under the 30 Texas Administrative Code (TAC) 213, the EDWARDS AQUIFER RULES of the TEXAS NATURAL RESOURCE CONSERVATION COMMISSION
- (3) That the EDWARDS AQUIFER PROTECTION PLAN for said real property was approved by the TEXAS NATURAL RESOURCE CONSERVATION COMMISSION on May 27, 1999

A copy of the letter of approval from the commission is attached to this affidavit as Exhibit A and is incorporated herein by reference

- (4) The said real property is located in Travis County, Texas, and the legal description of the property is as follows

Research Park Subdivision
Block A Lot 11
in Book 101 Pages 214-217 of the P. R. T. & T.

Research Park Properties Trust

By [Signature]
Name: John A. Mannix
Title: President

SWORN AND SUBSCRIBED TO before me, on this 20th day of December, 2000

[Signature]
NOTARY PUBLIC

NANCY M. COYNE, NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS
COMMISSION EXPIRES AUGUST 18 2006

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

12-22-2000 03 58 PM 2000202508

KNOWLES \$23.00

DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

Mr John A Mannix

Page 5


November 9, 2000

Office within 30 days of the transfer. A copy of the transfer form (TNRCC-10263) is enclosed.

16. Upon legal transfer of this property, the new owner(s) is required to comply with all terms of the approved Edwards Aquifer protection plan. If the new owner intends to commence any new regulated activity on the site, a new Edwards Aquifer protection plan that specifically addresses the new activity must be submitted to the executive director. Approval of the plan for the new regulated activity by the executive director is required prior to commencement of the new regulated activity.
17. An Edwards Aquifer protection plan approval or extension will expire and no extension will be granted if more than 50 percent of the total construction has not been completed within ten years from the initial approval of a plan. A new Edwards Aquifer protection plan must be submitted to the Austin Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
18. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

If you have any questions or require additional information, please contact Mr. Luis P. Aguirre of the Edwards Aquifer Protection Program at the Austin Regional Office at (512) 339-2929.

Sincerely,



Jeffrey A. Saitas, P.E.
Executive Director
Texas Natural Resource Conservation Commission

JAS/lpa

Enclosure Deed Recordation Affidavit, Form TNRCC-0625
Change in Responsibility for Maintenance on Permanent BMPs, Form TNRCC-10263

cc: Mr. Scott J. Foster, P.E., Turner Collie & Braden, Inc., Austin, Texas
 Mr. Michael Heitz, Division Director, Watershed Protection Department, City of Austin
 The Honorable Sam Biscoe, County Judge, Travis County
 Ms. Jeffie Barbee, TNRCC Field Operations, Austin

STATE OF MASSACHUSETTS §

COUNTY OF MIDDLESEX §

Before me, the undersigned Notary Public of the State of Massachusetts, on this day personally appeared John A Mannix in the capacity of President of Research Park Properties Trust, a Maryland real estate investment trust, to me known as person whose name is subscribed to the foregoing instrument and acknowledged that the above named person executed the same for the purposes and consideration expressed

Given under my hand and seal of office this 20th day of December, 2000.

[SEAL]


Nancy M. Coyne
Notary Public, State of Massachusetts

NANCY M. COYNE, NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS
COMMISSION EXPIRES AUGUST 18, 2006

After Recording Please Return To:

Scott J Foster, P.E.
Turner Collie & Braden Inc
400 West 15th Street, Suite 500
Austin, Texas 78701

1 \27612006\legal\deed doc

Robert J. Huston, Chairman
R. B. "Ralph" Marghee, Commissioner
John M. Baker, Commissioner
Jeffrey A. Bittick, Executive Director



TX Can on Quality

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

November 9, 2000

Mr. John A. Mannix, President
Research Park Properties Trust
400 Centre Street
Newton, Massachusetts 02458-2076

Re Edwards Aquifer, Travis County
NAME OF PROJECT: Research Park Office 3, 12515 Research Blvd., Austin, Texas
TYPE OF PLAN: Request for Approval of a Water Pollution Abatement Plan (WPAP); 30
Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer
Edwards Aquifer Protection Program File No. 00090501

Dear Mr. Mannix:

The Texas Natural Resource Conservation Commission (TNRCC) has completed its review of the WPAP application for the referenced project submitted to the Austin Regional Office by Turner Collie & Braden, Inc. on behalf of Research Park Properties Trust on September 5, 2000. Final review of the WPAP submittal was completed after additional material was received on November 8, 2000. As presented to the TNRCC, the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed, and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer protection plan. A motion for reconsideration must be filed no later than 20 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested*

PROJECT DESCRIPTION

The proposed office park will have an area of approximately 30.87 acres. It will include four office buildings, walkways, driveways and parking lots. The impervious cover will be 15.63 acres (50.62%).

REPLY TO: REGION 11 • 1921 CEDAR BEND DR., STE. 150 • AUSTIN, TEXAS 78758-5336 • 512/339-2929 • FAX 512/339-3795

P.O. Box 13087 • Austin, Texas 78711-3087 • 512/239-1000 • Internet address: www.tnrcc.state.tx.us

printed on recycled paper using soy-based ink

Mr. John A. Mannix

Page 2

November 9, 2000

percent). Project wastewater will be disposed of by conveyance to the existing Walnut Creek Sewage Treatment Plant owned by the City of Austin.

PERMANENT POLLUTION ABATEMENT MEASURES

Storm sewer lines will route the stormwater runoff to an existing off-site wet pond in the Research Park: Industrial 2 (EAPP File No. 98041605) project approved on May 13, 1998. The wet pond was constructed to treat stormwater runoff from the Industrial 2 site and from Lot 11 of the Research Park Subdivision. The wet pond consists of a 1.25 acre-ft. sediment forebay, a 5.27 acre-ft. main pool and a 7,100 sq. ft. vegetated bench. The approved measures meet the required 80 percent removal of the increased load in total suspended solids caused by the project.

GEOLOGY

According to the geologic assessment included with the application, the following eleven geologic features were observed: four caves, four sinkholes, and three solution cavities. The four caves are Research Park Cave, Coon Slide Cave, Parcourse No. 1 Cave and White Opossum Cave. Research Park Cave and White Opossum Cave are both gated. The other two are open, non-gated caves. The features are considered to be sensitive with moderate to high recharge potential. Critical Environmental Feature easements have been platted to protect all eleven geologic features. The Austin Regional Office site inspection of October 4, 2000, revealed that the site is generally as described by the geologic assessment.

STANDARD CONDITIONS

1. Pursuant to §26.136 of the Texas Water Code, any violations of the requirements in 30 TAC Chapter 213 may result in administrative penalties.

Prior to Commencement of Construction:

2. Within 60 days of receiving written approval of an Edwards Aquifer protection plan, the applicant must submit to the Austin Regional Office, proof of recordation of notice in the county deed records, with the volume and page number(s) of the county deed records of the county in which the property is located. A description of the property boundaries shall be included in the deed recordation in the county deed records. A suggested form (Deed Recordation Affidavit, TNRCC-0625) that you may use to deed record the approved WPAP is enclosed.
3. All contractors conducting regulated activities at the referenced project location shall be provided a copy of this notice of approval. At least one complete copy of the approved WPAP

has reviewed and approved the methods proposed to protect the feature and the aquifer from potentially adverse impacts to water quality. The plan must be sealed, signed, and dated by a Texas Licensed Professional Engineer.

- 10 No wells exist on the site. All water wells, including injection, dewatering, and monitoring wells must be in compliance with the requirements of the Texas Department of Licensing and Regulation under Title 16 TAC Chapter 76 (relating to Water Well Drillers and Pump Installers) and all other locally applicable rules, as appropriate.
- 11 If sediment escapes the construction site, the sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain). Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been reduced by 50 percent. Litter, construction debris, and construction chemicals shall be prevented from becoming stormwater discharge pollutants.
12. The following records shall be maintained and made available to the executive director upon request: the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated
- 13 Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.

After Completion of Construction:

14. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the Austin Regional Office within 30 days of site completion.
- 15 The applicant shall be responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. The regulated entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred. A copy of the transfer of responsibility must be filed with the executive director through the Austin Regional

From: Janet Brooks

Sent: Wednesday, August 11, 2021 5:25 AM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Janet Brooks

Subject: C14-2021-0012 Material to include in objection background file for zoning commission

*** External Email - Exercise Caution ***

Objections and Solutions to What Karlin actually plans to build, not shown on zoning maps

This map below is a pen and ink drawing version of Karlin Research Park website portfolio Map/plan for prospective investors...tap map to enlarge or To view complete and clearer map/plan Click on Portfolio Research Park view property at karlinre.com

Avery Island Ave. 183 N
(white left pointing arrow) (Right top to bottom)

Riata Trace (top left to right)



McNeil Rd. (Black area Bottom left to right)

Oak Knoll (curvy thin white line above and parallel to McNeil Rd running left to right —also intersects at N183 on lower far right)

Limited industrial and Mixed Use:

To left and right of left pointing white arrow is an Amenities hub with an extremely tall pole, a restaurant, outdoor meeting spaces, possible vehicle hub/tall lighting poles. Most of Karlin's other properties have recreational facilities, outdoor concert theaters, and food trucks with music. Might happen here, too!

OBJECTIONS: if limited industrial and mixed use with 24 hour operation and increased decibel levels and tall bright lighting is approved, hub will negatively affect health and welfare by disrupting work, sleep and relaxation of adjacent neighbors whose 37 year old houses don't have modern insulation/construction. Absence of parks within one mile by foot or car

SOLUTIONS: Move Limited industrial mixed use zones such as amenities hub and multi families to other lots further away from single family homes. Provide 50 ft deep dense continuous maintained tall large tree

buffers parallel to Avery Island houses and back fences beyond easement for utility work, chain link fence, and Austin Energy service road. Limit heights of nearest buildings to 35 feet. And lighting/poles to 8 ft. and move them to other side of continuous tree buffer away from family homes to protect and preserve integrity and quality of life of 37 year old peaceful quiet neighborhood with wooded views from backyards. Instead of 8 story buildings blocking view and sky and 4 story multi family balconies and conversations within view and earshot, developer needs to make sure short ends of units are facing Avery Island so long width of units with balconies are facing pre-existing wooded areas with other parallel units in the distance..a win win for reduced noise pollution and the quality of life for neighborhood residents and for people living in Research Park. Create a tree buffered running trail and park area parallel to and adjacent to Avery Island with walking paths that can be accessed by both our neighborhood and Research Park residents. Despite Karlin application claim that there are several parks within one mile of Research Park, neither our neighborhood nor Research Park has a park within one mile unless you can fly. Google map driving and walking distances are more than a mile for Rattan Creek which is a private MUD park with high fees for non residents and it's even more miles away to YetiCreek and Riata Trace parks. A park shared by residents of our neighborhood and Research Park would be another win win for everyone's quality of life, animals, the environment, and reduce light and noise pollution. It would make Karlin a more well known and respected leader in innovative community development and solutions.

Extremely Tall structures: Karlin hallmark item on most properties.

OBJECTIONS: Traffic, Safety, health, and welfare: Karlin map shows investors a monolith at Oak Knoll and 183 intersection which is so huge and distracting that it is a safety hazard impeding traffic sight lines and distracting drivers pedestrians and bicyclists which would cause more accidents. By building offices factories and multi family units in Research Park, thousands of additional trips are being added to already congested roads. The pole at the amenities

is another extremely tall structure which would block neighborhood views of trees and sky during the day and when lit would keep neighbors awake at night adversely affecting their sleep and health.

SOLUTIONS: Put Karlin in huge letters on top long side of Visa building in exchange for reducing their rent. Put huge Karlin letters on top long side of restaurant or other buildings you own in amenities hub and/ or closest building to McNeil Rd. If you build an outstanding innovative that meets the needs of the community, people will find you without monoliths and tall poles.

Oak Knoll from 183 to McNeil:

shown as a restricted private road on portfolio map instead of owned by City of Austin although city tried or is trying to buy it. (Karlin already put up private property warning signs. Also shows plan to straighten and move Oak Knoll to free up more land for developing offices, etc.

OBJECTIONS: Traffic safety, increased impervious cover, and affordable housing:

despite the fact that this section of Oak Knoll is and has been a private road, a precedent has been set for the past 30-40 years by the previous owners such as Texas Instruments who have allowed the free flow of traffic which alleviates some of backup at 183 and McNeil. This would improve safety for Research Park residents and workers as well as the public. It is already dangerous and often blocked by backup when entering and exiting Neighborhood streets on both sides of McNeil without protection of traffic lights and improved traffic flow. Construction of redesigned Oak Knoll will cause closures and create additional traffic delays. Having more land for building only increase impervious cover. By restricting access to this section of road, Research Park becomes an exclusive country club like mixed use community with high rents and no possibility of alleviating Austin's critical need for affordable housing.

SOLUTIONS: Free access to Oak Knoll and make Research Park more accessible and affordable especially for renters. Agree to a percentage of qualified renters with reduced rents. Add public transportation to reduce thousands of additional trips and traffic. Keep existing no direct entrances and exits from Research Park parking lots onto Oak Knoll and McNeil to keep traffic flowing. Add full traffic light at McNeil and Oak Knoll, conduct full traffic impact study and implement recommendations in a timely manner to alleviate dangers to

people using neighborhood streets like Avery Island and Magnolia Mound which are along McNeil Rd. Have a moratorium on additional multi family units condos etc along McNeil Road to avoid more congestion and protect safety.

Changes, Construction, Damage and Disruptions, Access to Austin Energy service road parallel to easement near Avery Island Ave.:

Karlin has rights to use this road for property repairs and maintenance only, not construction

Objections: safety and health, noise and service disruptions, traffic and vehicles/equipment, reimbursement and damage to nearby property

SOLUTIONS: Karlin and any cable internet and phone company crews on or working for Karlin property must also comply with the following:

- 1.strict observance of enforceable and punishable violations including noise decibels and disturbance ordinances
- 2.No use or parking of vehicles and equipment except Austin Energy
- 3.No widening, other changes, and direct access to McNeil Rd. Which will worsen Traffic safety, increase traffic congestion, and negatively affect sleep and health if residents:
- 4:at least 48 hour notice to nearby residents for any disruption of service, variances, and demolition
- 5.Mandatory Reserve fund and process to fairly and quickly reimburse property owners for damage caused by any crews regardless of status such as contractor subcontractor etc performing work on Karlin property
- 6.All work and companies must have current permit and adhere to limits of permit.
- 7.limit use of variances and demolition

From: Janet Brooks

Sent: Wednesday, August 11, 2021 5:58 AM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Janet Brooks <

Subject: C14-2021-0012 zoning case file materials for commission and public hearing due by noon today

*** External Email - Exercise Caution ***

Zoning Case C14-2021-0012 Specific Lot objections and solutions

Lot 12 existing wet pond and proposed use by 4-story 350 unit multifamily in Lot 11- Impacts drainage causing more watershed flooding. Needs to be in Lot 11 proposal.

LOT 11 Insist on new TCEQ Edwards Aquifer protection plan required when land is sold to new owners. Karlin Research Park, LLC and Karlin Research Park LLC Development aren't allowed to commence operations on Lot 12 and parts of Lot 11 without it. Register complaints with city and TCEQ. Include unfinished abandoned parking garage in Lot 11 for possible violation of #18 TCEQ Edwards Aquifer 2000 protection plan. The same report showed 4 caves, 4 sinkholes, and 3 solution cavities. Lots 11 and 12 might be more unstable and unsafe for use and construction. Ask for new geological survey.

Lot 11 Easement service road along boundary with west side of Avery Island Ave. Oppose construction vehicles and equipment except for Austin Energy electrical substation maintenance. Ask for no access to McNeil, widening, or changes to road.

Lot 14F, Lot 15, and Lot 10 limited industrial can operate 24 hours a day at higher decibel levels. Ask for stricter limits, no vehicle parking /operations/hubs of any kind, no tall lighting or poles within 500 ft. of west easement of Avery Island. Add 50 ft. Dense tall tree buffers on far side of service road, chain link fence, and easement far away from Avery Island no buildings over 35 ft and no lights poles over 8 ft. Near Avery sis land blocking view of sky and trees from backysrds

Lots 14D, 14F, and 16 light industrial bordering Oak Knoll as it approaches McNeil-oppose any changes/construction to current Oak Knoll roadway or at intersection with McNeil. No structures blocking visibility near intersections such as monoliths, multifamily, large office buildings, advertising signs, gates, or walls. Also no parking lot entrances and exits along Oak Knoll. Ask for a new full traffic light at Oak Knoll and McNeil and improvements at Avery Island and McNeil. Also ask for Traffic Impact Analysis reflecting increased traffic August-June due to reopening of schools, churches, and businesses plus new condo development at 6306 McNeil and unsafe unprotected turns onto or from McNeil by nearby residents. This section of Oak Knoll from 183 to McNeil is a private road. Support City of Austin purchasing it to avoid increased back up at McNeil

From: Jenny Davila

Sent: Wednesday, August 11, 2021 11:02 AM

To: sherry.sirwaitis@austintexas.gov; Chaffin, Heather <Heather.Chaffin@austintexas.gov>

Subject: Oppose to Re-zoning of Research Park - case # C14-2021-0012

*** External Email - Exercise Caution ***

Hi,

I am an owner of a house located on Avery Island Avenue in Mildwood.

A neighbor mentioned the possible rezoning of Research Park to Commercial, Industrial and possible Multi-Family.

I am deeply concerned with a possible change, I believe rezoning this area will bring more traffic to an area that has enough with the new Apple campus and new residence constructions, more pollution, years of construction noise and disruption, crowded schools, water runoff, damage to foundations, demands on infrastructure, etc.

Please use this note as a neighbor's vote against this change and let me know if there are any questions.

Thanks
Jenny Davila

From: T Kadela
To: [Sirwaitis, Sherri](#)
Subject: RE: Zoning Case C14-2021-0012 for public hearing 08/17/2021
Date: Friday, August 13, 2021 2:41:15 PM

*** External Email - Exercise Caution ***

Hi. Emailing my response for the Public Hearing by the Zoning and Platting Commission on 08/17 regarding Rezoning for case number C14-2021-0012 as per mailed notice on 08/06.

Interested Party: Thad Kadela
Address Affected: 12320 Alameda Trace Circle
Vote: I OBJECT

Comments: The proposed rezoning of this area will accelerate the increase in traffic, noise and lighting pollution in this area which diminishes the value and livability of the adjacent properties. The zoned area is currently surrounded by single family and low-density multi-family housing. The adjacent roads have already seen bottlenecks (pre-pandemic) with the existing use traffic. Allowing for mixed use development especially 200+ units of housing can only add to that. The existing thin greenbelt buffer between the Riata Apartments and the Project location is home to several nocturnal birds in the owl and nightjar family besides a wide range of daytime bird activity that would be affected by the added lighting and noise after-5pm. The entire ring of housing bordering the Project would also be subject to noise and lighting pollution after hours as well.

Changing the zoning also opens the door to other mixed uses that may not currently be on the table but could be allowed and would affect the adjacent areas further. As proposed, the mixing of new multi-family units closer to the existing industrial activity is incongruent on face value. As a neighbor to the Project area, I already have double layers of sound blocking curtains to keep out the blower or machinery noises at night (that vary based on time of year). Such adhoc development can lead to abandonment after unseen issues arise. Keeping the zoning as "Light Industrial" maintains the current character of the mature neighborhood and avoids creating a Frankenstein neighborhood of undesirable mixes.

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PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

Case Number: C14-2021-0012

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: August 17, 2021, Zoning and Platting Commission

RONA NEUNELER

Your Name (please print)

12320 Alameda Trace Circle 78727

Your address(es) affected by this application (optional)

Rona Neuneler

Signature

☐ I am in favor
☒ I object

8-26-21

Date

Daytime Telephone (Optional): _____

Comments: I am not in favor of increased traffic, noise, light and air pollution. This development preserves any nature still left in the area. This proposed development is highly undesirable to me.

If you use this form to comment, it may be returned to:

City of Austin, Housing & Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

From: Janet Brooks
To: [Sirwaitis, Sherri](#)
Subject: C14-2021-0012 zoning hearing Sept. 7
Date: Monday, August 30, 2021 11:32:09 PM

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Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

Case Number: C14-2021-0012
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: September 7, 2021, Zoning and Platting Commission

Janet Brooks
Your Name (please print) Austin, TX
6313 Avery Island Ave. 78727
Your address(es) affected by this application (optional)
Janet Brooks 8/30/21
Signature Date

Daytime Telephone (Optional): 512-731-1762
Comments: To protect health, safety & welfare I oppose allowing construction and density developments in areas with critical environmental features like the 7000' 4' sinkholes in Lot 11-12, wet ponds sites like multi-family Lot 11. I also oppose slopes from sites which allow run off + overflow + off road yards + homes nearby, increased building heights, maximum impervious or building coverage decreases set backs contaminates + deteriorate water quality + infrastructure. Increases air, noise, light pollution increased traffic volume. Oak Knoll McNeil + our trailer waste + from, and blocking access to Oak Knoll violates TCEQ + Bakken's Canyonland rules. Walnut Creek water/shadow rules doesn't provide affordable housing. public transportation, and ADA parks + path + housing amenities

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Sherri Sirwaitis
P. O. Box 1088, Austin, TX 78767
Or email to: sherri.sirwaitis@austintexas.gov

and on display

Sent from my iPhone

From: Angelica Netzel
To: [Sirwaitis, Sherri](#)
Subject: Sign up to speak. C14-2021-0012
Date: Monday, August 30, 2021 7:45:20 PM

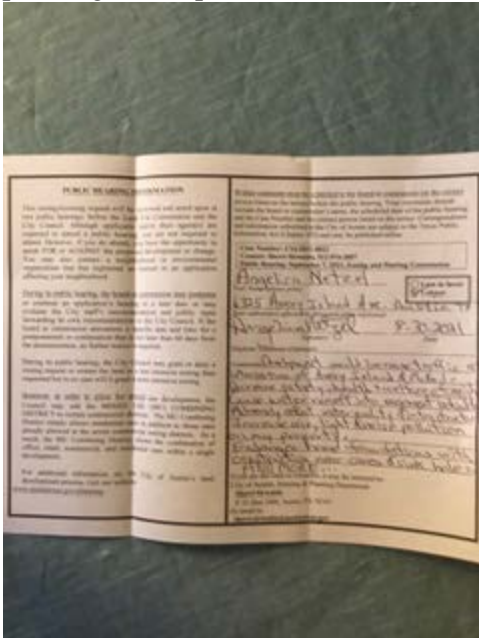
*** External Email - Exercise Caution ***

Dear Sherri.

I wish to sign up to speak at the Planning and Zoning public hearing on September 7, 2021. Below is a screen shot of my form as there is not enough time to get it to you by the September 1st deadline, which, by the way, was never included in the letter. I also want to inform you that the letter which was mailed 8/27 did not reach our neighborhood mailboxes until after 5pm on 8/30. Have I been misinformed about the September 1st deadline to return this form and to sign up to speak? If so, what is the correct deadline? My neighborhood wants to know.

Thanks,
Angelica Netzel
6325 Avery Island Ave
Austin, TX 78727
512-660-0022

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From: Barbara Talbot
To: [Sirwaitis, Sherri](#)
Subject: Case C14-2021-0012
Date: Wednesday, September 1, 2021 6:49:39 AM

*** External Email - Exercise Caution ***

Good morning,

I am writing to you regarding case number C14-2021-0012. I own and have resided at 6203 Avery Island Ave for 30+ years as an original owner in the Old Milwood neighborhood. My property is adjacent to the subject property Lot 11 where 349 multifamily units in 4 story buildings are being proposed.

I am concerned about the following -

1.
Reduced privacy.
2.
Increased noise and light pollution.
3.
Increased chance of flooding.
4.
Increased traffic on McNeil making it difficult to exit our neighborhood onto McNeil from Avery Island Ave.
5.
Damage to our home from caves on the subject property becoming unstable.

I am requesting -

1.
A minimum 50 feet of tree buffers between the easement along Avery Island Ave and the impervious cover on the subject property.
2.
No tall lighting within 500 feet of the easement along Avery Island Ave.
3.
No construction vehicles or equipment, or other vehicles, using the existing service road except for Austin Energy substation maintenance vehicles.
- 4.

No direct vehicle access between the subject property and McNeil.

5.

No right on red allowed from Oak Knoll onto McNeil.

6.

A new geological study be done on the caves, sinkholes, and solution cavities previously reported on the subject property.

Thank you for your consideration of my concerns and requests.

Sincerely,

Barbara Talbot

6203 Avery Island Ave

Austin, TX 78727

512-219-8408

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From: Janet Brooks
To: [Sirwaitis, Sherri](#); [Janet Brooks](#)
Subject: C14-2021-0012 zoning hearing sept 7th background material Research Park /TCEQ
Date: Wednesday, September 1, 2021 1:32:04 PM

*** External Email - Exercise Caution ***

Begin forwarded message:

From: Lillian Butler
Date: August 30, 2021 at 1:56:17 PM CDT
To:
Cc: Leah Whallon
Subject: WPAP - Research Park MF

Afternoon Ms. Brooks,

The Edwards Aquifer Protection Program (EAPP) has received an application for new development within the Research Park development. Below are responses to your questions.

How long does the approval process take?

The application has been deemed administratively complete (submittal package is complete) and is under technical review. The standard turnaround time for an application approval is 90-days. The application must include final plans, be accurate, complete and compliance with 30 TAC 213.

When is Karlin LLC allowed to commence operations on this property?

Once the applicant (Karlin RPD, LLC) receives approval, it is required for the applicant to provide a written notification of intent to commence construction no later than 48 hours prior to commencement of the regulated activity.

Does this application include all of Research Park or specific lots? If so, which lots?

The application was deemed administratively complete on August 26, 2021 and has not been assigned to a reviewer. The specific details of the proposed development and outlined project area will be evaluated by the assigned reviewer; however, it appears

the application is particularly for lots 11 and 12.

If lots 11 and 12 (Karlin's lot designations) are included, is the TNRCC Edwards Aquifer Watershed Protection Plan 0625 with Research Park Trust still in effect?

The previous approvals for Research Park are in effect unless a new application proposes a revision to the previously approved application(s). It is unknown if this application proposes a change to those specific areas.

If not, what does that mean?

Again, the previous approvals are still applicable.

Are you aware the wet pond referred to in number 4, has been neglected and failed inspection? It needs replacement of leaking liner, etc? This fact but no further details were given to our facilitator group by Karlin LLC vice president Joe Prochot on Aug. 18th.

The EAPP staff conducts an administrative and technical review of all applications for building on the recharge, transition, or contributing zones of the Edwards Aquifer.

Once an applicant receives approval, they are responsible for building the proposed permanent best management practice (wet pond) as approved and maintaining the PBMP after construction. If the PBMP is not being maintained appropriately a complaint can be made through the following link:

<https://www.tceq.texas.gov/assets/public/compliance/monops/complaints/complaints.html>

The EAPP staff will initiate compliance investigations for activity that is conducted without approval; however, the Water Section program will conduct all other compliance related investigations, such as failure to maintain an approved permanent BMP.

I hope I have answered your questions. Your concerns and correspondence will be forwarded to the assigned technical reviewer and documented as received public comments. All EAPP applications are made available at the following link:

<https://www.tceq.texas.gov/permitting/eapp/eapp-applications-review>

Sincerely,

Lillian Butler

Section Manager

Edwards Aquifer Protection Program

Texas Commission on Environmental Quality

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From: Paul Talbot
To: [Sirwaitis, Sherri](#)
Subject: Case C14-2021-0012
Date: Wednesday, September 1, 2021 3:36:19 PM

*** External Email - Exercise Caution ***

Good afternoon Sherri,

I am writing regarding case number C14-2021-0012. I own and have resided at 6203 Avery Island Ave for 30+ years as an original owner. Our property is adjacent to the subject property Lot 11 where 349 multifamily units in 4 story buildings are being proposed.

In addition to the concerns you have heard from other correspondents, I have additional concerns that could be even more important. Damage to homes and property is one thing, but damage to people (versus mere inconvenience to people) is a much more serious concern.

Therefore, the design of this new construction must make absolutely sure that the combination of a tree buffer size and the maximum permitted height of the buildings will mean that no resident will have direct views of the backyards of the houses along Avery Island Ave. Otherwise, some day a pedophile or other sexual predator will find that the top floor of the building makes for a great "roost" to hunt for potential victims like young children or vulnerable women. A criminal could see into the yards of ten or more homes from a single top floor unit if this privacy standard is violated. How many children need to be kidnapped or women raped to say, when it is too late to do anything about it, "gee, that was a mistake!"?

Secondly, as an original owner I know that when Milwood 12 was built there were few to no mosquitoes here. Now we might have one of the worst mosquito population densities of any Austin / Travis County subdivision. I have no way to prove causation, but it absolutely seems to me that the mosquito problem started to develop after installation of a retainage pond on Lot 11. This does not have to be an either / or between environmental concerns and public health. There are ways to have water features without mosquitoes, even in the middle of a swamp like Kissimmee, Florida. For additional information, see any of numerous articles, such as:

- <https://www.yahoo.com/now/why-never-see-mosquitoes-disney-202846868.html>
- <https://www.mentalfloss.com/article/548281/reason-why-there-are-no-mosquitoes-in-disney-world>

In addition to the reasonable requests being made by multiple other commenters, I am requesting:

- No line of sight from top floor of new residences to the backyards along the adjacent stretch of Avery Island Ave; and
- Remediation of the mosquito problem I believe has its origins in the retention pond on Lot 11.

Thank you for your consideration of my concerns and requests.

Sincerely,

Paul Talbot

6203 Avery Island Ave
Austin, TX 78727
512-219-8408

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To: Zoning and Platting Commission Members

We, the undersigned Milwood section 12 (Old Milwood Neighborhood) residents currently living within 500 feet of C14-2021-0012 (and related case SP-2021-0124C), live in a 37 year old neighborhood unlike the majority of neighborhoods in Austin, it is rare and unique in its small size of 200+ charmingly designed single family starter homes averaging 1400 sq. ft. which are located on an avenue and curving streets, coves, and cul-de-sacs lined with mature trees including heritage oaks. Old Milwood is not as affordable as it once was but still is more affordable than other neighborhoods in Northwest Austin. We love the diversity of our residents and this neighborhood which is peaceful, quiet, and family friendly.

Section A:

We support the City of Austin 2020 Imagine Austin and Project Connect goals and the following City of Austin zoning principles:

1. Zoning should satisfy a specific need and not constitute a grant of special privilege to an individual owner; the request should not result in spot zoning. (Our concerns here are Austin's crisis and need for affordable housing. At Aug. 18th meeting the applicant stated he did not intend to provide any percentage of affordable housing or public transit stops on the property. The applicant's own website <http://karlinre.com/> Research Park portfolio site map for prospective investors depicts a more exclusive high end mini Domain like community with Oak Knoll from N183 to McNeil remaining private. Despite the applicant's claim that this portion of Oak Knoll will later be donated to the city, many private property signs are already posted and a written agreement has not been offered as proof.)
2. Granting the zoning should not in any way set an undesirable precedent for other properties in the neighborhood or within other areas of the city.(See 1, 4, and 6)
3. Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities. (There are currently insufficient buffers between the applicant's property boundaries with Milwood Section 12 homes along Avery Island Ave. and Jennings. They do not provide adequate protection from additional LI development which result in increased traffic and safety concerns and air/light/noise pollution. More importantly they do not protect us from the dangers and proximity of 10 critical environmental features such as caves and sinkholes in Lot 11 and adjacent Lot 12 wet pond.(See #6)
4. Zoning should promote clearly identified community goals such as....providing affordable housing.(See #1)
5. Rezoning should be consistent with the policies adopted by the City Council and Planning and Zoning Dept (See #1-6)
6. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

We are aware that environmental concerns are usually dealt with at site plan. However our case was originally on the Aug. 17th public hearing schedule after the Luby's case but was postponed by consent to Sept. 7th. At the time we weren't aware of the issues in the Luby's case or it's outcome. We had already submitted a 1998 TNRCC 0625 (now TCEQ) document to the B07 additional background file that noted the number of caves and sinkholes in Lots 11 and 12. https://www.austintexas.gov/cityclerk/boards_commissions/meetings/54_1.htm

Since then we've seen two different maps and related materials estimating the number and locations of caves and sinkholes. We appreciate the applicant for sharing these materials and have requested cross section diagrams of below ground level cave views. Yesterday we had time to examine documents in public TCEQ files which are the most recent and accurate information available. They are shown in the chart and map below. The number of caves and sinkholes in Lots 11 and 12 has increased to 10. Additional details and descriptions of them plus 2 previously undocumented wells can be accessed at <https://www.tceq.texas.gov/permitting/eapp/eapp-applications-review>

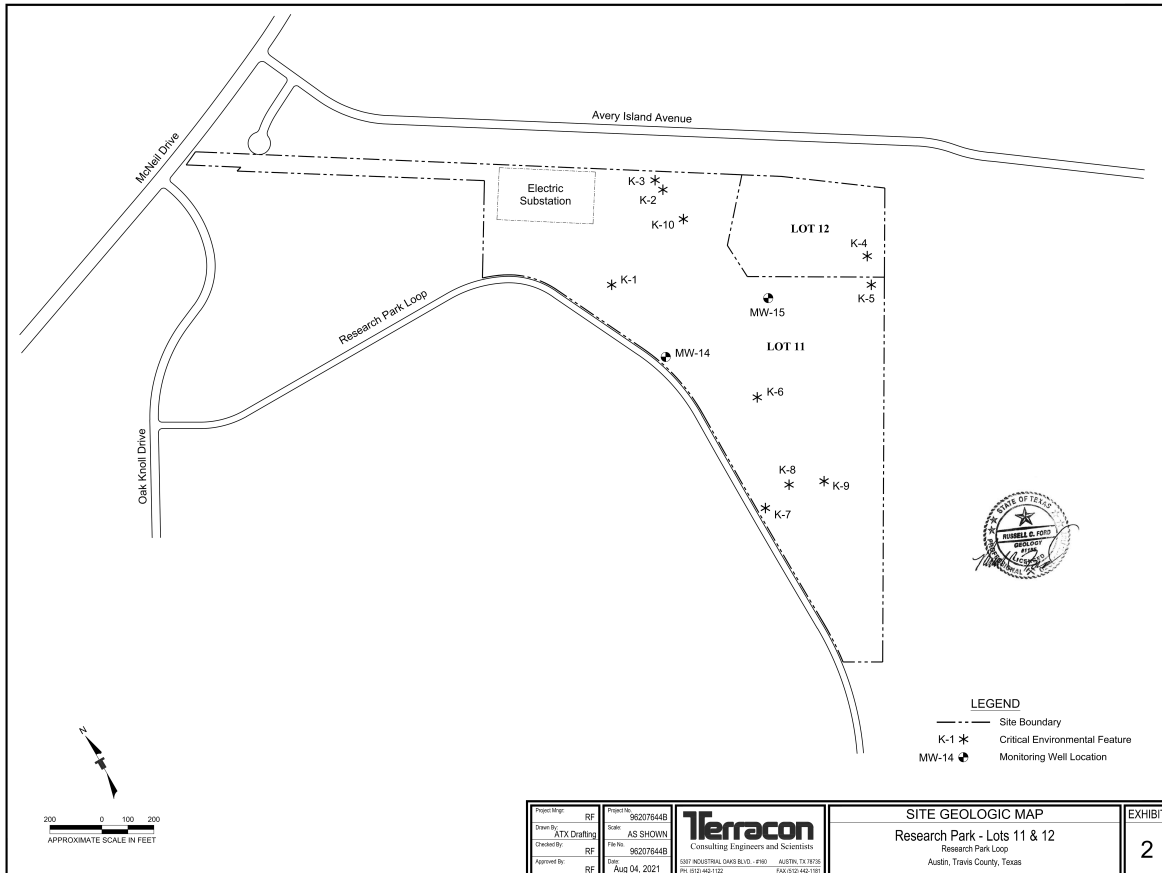
ATTACHMENT A

GEOLOGIC ASSESSMENT TABLE										PROJECT NAME: Research Park Lot 11-Multifamily, Research Park Loop, Austin, Texas									
LOCATION			FEATURE CHARACTERISTICS										EVALUATION			PHYSICAL SETTING			
1A	1B *	1C *	2A	2B	3	4			5	5A	6	7	8A	8B	9	10	11	12	
FEATURE ID	LATITUDE	LONGITUDE	FEATURE TYPE	POINTS	FORMATION	DIMENSIONS (FEET)			TREND (DEGREES)	DOW (IN/FT)	APERTURE (FEET)	INFILL	RELATIVE INFILTRATION RATE	TOTAL	SENSITIVITY	CATCHMENT AREA (ACRES)	TOPOGRAPHY		
						X	Y	Z		10						<40	≥40	<1.6	≥1.6
K-1	30.436036	-97.750111	SH	20	Ked	1.5	1.5	5				O	20	40	X	X			Hilltop
K-2	30.436642	-97.749001	C	30	Ked	1.5	3	9				N	30	60	X	X			Hilltop
K-3	30.436777	-97.749013	SH	20	Ked	2.5	2.5	5				O	20	40	X	X			Hilltop
K-4	30.435001	-97.747208	C	30	Ked	2	6	6.5	N10E	10		N	30	70	X	X			Hilltop
K-5	30.434686	-97.747366	C	30	Ked	7	2	5				N	30	60	X	X			Hilltop
K-6	30.434248	-97.749263	SH	20	Ked	25	20	2.5				O	20	40	X	X			Hilltop
K-7	30.433191	-97.749850	C	30	Ked	4	4	6				N	30	60	X	X			Hilltop
K-8	30.433283	-97.749449	SH	20	Ked	15	15	1				O	15	35	X		X		Floodplain
K-9	30.433133	-97.749064	SH	20	Ked	7	7	5				O	20	40	X	X			Hilltop
K-10	30.436271	-97.748964	C	30	Ked	2	2	5				N	30	60	X	X			Hilltop

* DATUM: NAD27

2A TYPE	TYPE	2B POINTS
C	Cave	30
SC	Solution cavity	20
SF	Solution-enlarged fracture(s)	20
F	Fault	20
O	Other natural bedrock features	5
MB	Manmade feature in bedrock	30

8A INFILLING
N None, exposed bedrock
C Coarse - cobbles, breakdown, sand, gravel
O Loose or soft mud or soil, organics, leaves, sticks, dark colors
F Fines, compacted clay-rich sediment, soil profile, gray or red colors
V Vegetation. Give details in narrative description
FS Flowstone, cements, cave deposits



Due to the proximity and increasing numbers of critical environmental features and wells in Lots 11 and 12, we don't just fear impacts to our neighborhood character, we fear that the proposed rezoning threatens the health, safety, and welfare of our residents and their property. We also feel it would similarly affect the Research Park

construction workers, future residents of the multi family in Lot 11, and the public in the currently proposed park in lower section of Lot 11 and proposed walking path to and from the park. That proposed public path is over a mile long from the dead end of Jennings near McNeil Dr. and along easement boundary in flag portion of Lot 11 , Lot 11 multi family and parking garage, and walking trail around adjacent wet pond in Lot 12 plus the park area itself. We appreciate that the applicant informed us yesterday that there is a geologic survey of the entire Research Park development but we haven't seen it yet. We are also fearful about the safety and stability of the entire proposed PDA combining district and the critical electric substation near Lot 11 since large nearby cave systems were discovered along the widening of McNeil Dr. from Melrose Trail to HEB and Parmer and more recently at the McNeil High School parking lot construction.

This land is also in the abalones Canyonland. We respectfully urge you to examine the TCEQ geologic information and consider the impact of the existing critical environmental features on the land before making a decision about land use at the Sept. 7th hearing.

Section B:

In the event this case moves forward at the public hearing, we are requesting your consideration of applying the following conditions to the boundary of C14-2021-0012 which is adjacent to its boundary with Avery Island Ave.

1. An extended dense continuous and maintained mature tree buffer to within the first 200 ft of its boundary and the adjacent single family homes along the boundary with Avery Island Ave. and where applicable a 500 ft. buffer Around all critical environmental features and their required mitigation's
2. Prohibited uses to include these additional prohibited uses
 - A. Laundry Services
 - B. Off-site accessory parking
 - C. Outdoor Entertainment
 - D. Vehicle storage
 - E. Maintenance and Service Facilities
 - F. Transportation Terminal
 - G. Automotive rentals
 - H. Building maintenance services
 - I. Commercial off-street parking
 - J. Construction sales and services
 - K. Convenience Storage
 - L. Drop off recycling collection facility
3. Decreased DENSITY from 350 units to 300 Units
4. Decreased Building Heights: from 80% to 60%
5. Decreased maximum impervious and building cover requirements from 60% to what TCEQ requires

Section C:

Continued on page 4

MILWOOD SECTION 12 RESIDENT SIGNATURE FORM

DATE: August 28, 2021 FILE NUMBER C14-2021-0012 Research Park

TO: Zoning and Platting Commission Members

- A. We, the undersigned residents of property affected by the requested zoning change described in the referenced case file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LI, and oppose any entitlement or approval of Lot 11 multifamily in this case or related case SP-2021-0124C.

We oppose rezoning and/or any PDA amendment modifying development regulations and/or removing conditional overlays at Research Park that would result in:

1. Increased traffic volume at intersection of Oak Knoll and McNeil and at neighborhood roads that feed into and from both sides of McNeil from N183 to Parmer
2. Limited public access to Oak Knoll from 183 to McNeil
3. Increased heights of buildings, maximum of impervious or building cover and density of construction
4. Decreased setbacks or buffers
5. Allowing more types of development on the property
6. Blocked drainage from or causing overflow and flooding to our property and allowing contamination of groundwater
7. Adversely affecting our water quality and infrastructure
8. Increased air/light/noise pollution in and around our property
9. Allowing construction and public spaces in areas with endangered species and critical environmental features such as caves and sinkholes
10. Violating applicable rules of the Texas Commission on Environmental Quality, Balcones Canyonland, and Walnut Creek Watershed

- B. We do hereby continue our support of all efforts by neighbors Janet Brooks and Angelica Netzel, as long as they are willing and able, to facilitate our opposition and concerns regarding the cases noted above including but not limited to:

1. Canvassing neighbors' concerns in person
2. Distribution of information through NextDoor/flyers/signs
3. Meetings/written and oral communications with city officials/staff and applicants or their representatives requesting zoning changes
4. Requesting consideration by City of Austin commission, board, and council members to apply conditional overlays which include but are not limited to our opposition and concerns described in section A 1-10 above

SIGNATURE PRINTED NAME ADDRESS PHONE OPTIONAL

Nancy Topolski NANCY TOPOLSKI 10327 AVERY ISLAND 512-483-1920

ERIC JACKSON ERIC JACKSON 6329 AVERY ISLAND AVE

Vera Gonzalez VERA GONZALEZ 10331 AVERY ISLAND

Carolyn M. Getting CAROLYN M. GETTING 6401 AVERY ISLAND AVE 78727

Greg Wilcox GREG WILCOX 6405 AVERY ISLAND AVE 78727

Adrian M. Diaz ADRIAN DIAZ M. 6406 AVERY ISLAND

MILWOOD SECTION 12 RESIDENT SIGNATURE FORM

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SIGNATURE	PRINTED NAME	ADDRESS	PHONE	OPTIONAL
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	Maria Sanchez	6406 Avery Island		
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	Kenneth Fidal	6400 Avery Island Ave		
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	Rachel Dallas	6400 Avery Island Ave	78727	
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	Sydney Stuehling	6323 Avery Island	78727	
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	Orion Stuehling	6323 Avery Island	78727	
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	DEANN BISHOP	6412 Jennings Dr.	78727	
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MILWOOD SECTION 12 RESIDENT SIGNATURE FORM

DATE: August 28, 2021 FILE NUMBER C14-2021-0012 Research Park

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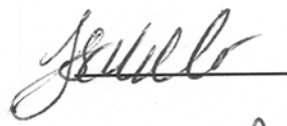
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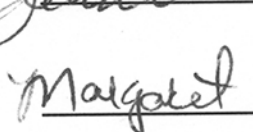
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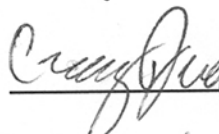
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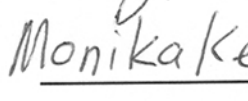
SIGNATURE	PRINTED NAME	ADDRESS	PHONE	OPTIONAL
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	Rafael Guerrero	6500 Jennings Dr. Austin TX		
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	Isabel Guerrero	6500 Jennings Dr. Austin TX		
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	Margaret Wetherell	6502 JENNINGS AUSTIN, TX		
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	Craig Judge	6415 Jennings Austin		
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	Monika Kelley	6411 Jennings Dr. Austin TX 78727		
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	Anthony Phong Sener	6411 Jennings Dr. Austin TX 78727		
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MILWOOD SECTION 12 RESIDENT SIGNATURE FORM

DATE: August 28, 2021 FILE NUMBER C14-2021-0012 Research Park

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SIGNATURE PRINTED NAME ADDRESS PHONE OPTIONAL

Melissa Arana Melissa Arana 6321 Avery Island Ave

C CHRIS SHEA 6319 Avery Island Ave

H Heather Shea 6319 Avery Island Ave

Zeck Zeck Sticht 6307 Avery Island Ave.

Alisa Blanks Alisa Blanks 6305 Avery Island

Annalisa Grannotti Annalisa Grannotti 6304 Avery Island

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SIGNATURE

PRINTED NAME

ADDRESS

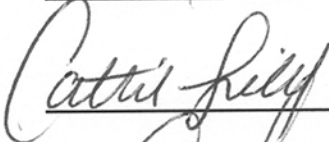
PHONE OPTIONAL



Mike Groener

6306 Avery Island

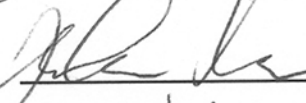
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Catherine Lilly

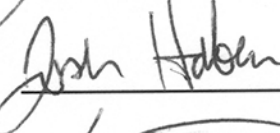
6308 Avery Island Ave

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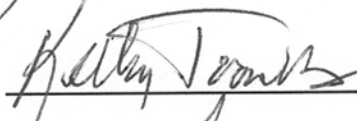
Jhordan Mason

6312 Avery Island Ave



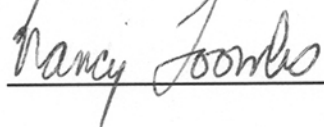
Joshua Haben

6316 Avery Island Ave



KELLEY TOOMBS

6318 AVERY ISLAND AVE



Nancy Toombs

6318 Avery Island Ave

MILWOOD SECTION 12 RESIDENT SIGNATURE FORM

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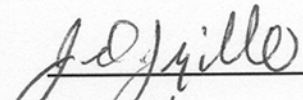
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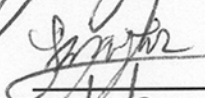
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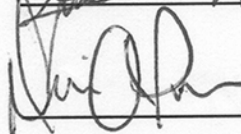
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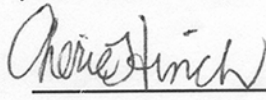
SIGNATURE PRINTED NAME ADDRESS PHONE OPTIONAL

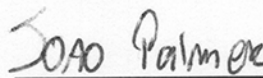
 Jesus O. Trujillo 6320 Avery Island
Austin TX 78727

 Mayte Ibarrera Sanchez 6320 Avery Island
Austin TX 78727

 Angelica Maria Sanchez 6320 Avery Island Austin TX 78727

 DENNIS A. PURCELL 6215 AVERY ISLAND 78727

 Cherie Hinch 6215 Avery Island 78727

 Soao Palmer Soao Palmer 6211 Avery Island Ave. 78727

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SIGNATURE	PRINTED NAME	ADDRESS	PHONE OPTIONAL
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Barbara Talbot Barbara Talbot 6203 Avery Island Ave.

Paul M. Talbot PAUL M Talbot ↓ ↓

Angelia Lambert SYLVIA LAMBERT 6301 Avery Island Ave

Joe Lambert Joe Lambert 6301 Avery Island Ave

Jonathan Taylor Jonathan Taylor 6404 Avery Island Ave

Sheila Tims SAEILA TIMS 6416 Jennings DR

MILWOOD SECTION 12 RESIDENT SIGNATURE FORM

DATE: August 28, 2021 FILE NUMBER C14-2021-0012 Research Park

TO: Zoning and Platting Commission Members

- A. We, the undersigned residents of property affected by the requested zoning change described in the referenced case file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LI, and oppose any entitlement or approval of Lot 11 multifamily in this case or related case SP-2021-0124C.

We oppose rezoning and/or any PDA amendment modifying development regulations and/or removing conditional overlays at Research Park that would result in:

1. Increased traffic volume at intersection of Oak Knoll and McNeil and at neighborhood roads that feed into and from both sides of McNeil from N183 to Parmer
2. Limited public access to Oak Knoll from 183 to McNeil
3. Increased heights of buildings, maximum of impervious or building cover and density of construction
4. Decreased setbacks or buffers
5. Allowing more types of development on the property
6. Blocked drainage from or causing overflow and flooding to our property and allowing contamination of groundwater
7. Adversely affecting our water quality and infrastructure
8. Increased air/light/noise pollution in and around our property
9. Allowing construction and public spaces in areas with endangered species and critical environmental features such as caves and sinkholes
10. Violating applicable rules of the Texas Commission on Environmental Quality, Balcones Canyonland, and Walnut Creek Watershed

- B. We do hereby continue our support of all efforts by neighbors Janet Brooks and Angelica Netzel, as long as they are willing and able, to facilitate our opposition and concerns regarding the cases noted above including but not limited to:

1. Canvassing neighbors' concerns in person
2. Distribution of information through NextDoor/flyers/signs
3. Meetings/written and oral communications with city officials/staff and applicants or their representatives requesting zoning changes
4. Requesting consideration by City of Austin commission, board, and council members to apply conditional overlays which include but are not limited to our opposition and concerns described in section A 1-10 above

SIGNATURE PRINTED NAME ADDRESS PHONE OPTIONAL

William Tims William Tims 6416 Jennings Austin Tx

Rob Seidman Rob Seidman 6418 JENNINGS Austin TX

Gerald L. Harrison GERALD L. HARRISON
6010 Aubrey Island Ave Austin Tx

Robert Venturini ROBERT VENTURINI 6015 AVERY ISLAND AVE.
AUSTIN, TX.

James Palmer JAMES PALMER 6013 AVERY ISLAND AVE
AUSTIN, TX 78727

Chet Polo Chet Polo 6315 Avery Island Ave

MILWOOD SECTION 12 RESIDENT SIGNATURE FORM

DATE: August 28, 2021 FILE NUMBER C14-2021-0012 Research Park


TO: Zoning and Platting Commission Members

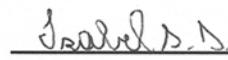
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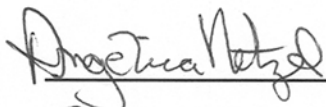
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 3. Increased heights of buildings, maximum of impervious or building cover and density of construction
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 3. Meetings/written and oral communications with city officials/staff and applicants or their representatives requesting zoning changes
 4. Requesting consideration by City of Austin commission, board, and council members to apply conditional overlays which include but are not limited to our opposition and concerns described in section A 1-10 above

SIGNATURE	PRINTED NAME	ADDRESS	PHONE OPTIONAL
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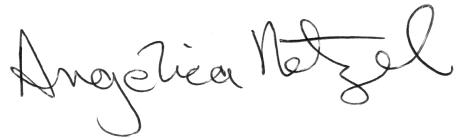
	Marty Tsai	6310 Avery Island Ave	512-461-2962
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	ISABEL SOUZA SHIRATSUBAKI	6310 AVERY ISLAND AV	619 206 2609
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	Angelica Netzel	6325 Avery Island Ave.	
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	Janet Brooks	6313 Avery Island Ave	78727
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We are a small group of facilitators who help our Milwood Section 12 Neighborhood. Our roles are described and supported by our neighborhood. Due to Covid, our neighborhood does not have a formal neighborhood organization. The following document with signatures is NOT a petition. It explains the Milwood section 12 Neighborhood opposition and concerns plus the facilitators roles as supported by the signatures of Milwood Section 12 residents. These residents live within within 500 ft. Of C14-2021-0012 and related case SP-2021-0124C-0124C.

A handwritten signature in black ink that reads "Angelica Netzel". The script is cursive and fluid, with the first name and last name clearly distinguishable.

Angelica Netzel

A handwritten signature in black ink that reads "Janet Brooks". The script is cursive, with the first name "Janet" being more prominent than the last name "Brooks".

Janet Brooks

From: Janet Brooks
To: [Sirwaitis, Sherri](#)
Subject: Consideration Requests for overlays C14-2021-0012
Date: Thursday, September 2, 2021 9:49:45 AM

*** External Email - Exercise Caution ***

You revived our neighborhood letter from Angie Netzel
Yesterday with subject line:
C14-2021-0012 letter to zoning commission
conditional overlay consideration requests for zoning hearing Sept.7th.pdf

Section B below is the portion of that letter requesting consideration of conditional overlays

9 pages of signatures from neighbors within 500 ft of zoning case. It contained language on Section

B.

In the event this case moves forward at the public hearing, we are requesting your consideration of applying the following conditions to the boundary of C14-2021-0012 which is adjacent to its boundary with Avery Island Ave.

1. An extended dense continuous and maintained mature tree buffer to within the first 200 ft of its boundary and the adjacent single family homes along the boundary with Avery Island Ave. and where applicable a 500 ft. buffer
Around all critical environmental features and their required mitigation's
2. Prohibited uses to include these additional prohibited uses
 - A. Laundry Services
 - B. Off-site accessory parking
 - C. Outdoor Entertainment
 - D. Vehicle storage
 - E. Maintenance and Service Facilities
 - F. Transportation Terminal
 - G. Automotive rentals
 - H. Building maintenance services
 - I. Commercial off-street parking
 - J. Construction sales and services
 - K. Convenience Storage
 - L. Drop off recycling collection facility
3. Decreased DENSITY from 350 units to 300 Units
4. Decreased Building Heights: from 80% to 60%
5. Decreased maximum impervious and building cover requirements from 60% to what TCEQ requires

In Section C there were 2 parts. Section A described oppositions of neighbors. Section B describes the neighbors support of and the roles Angie and I have as facilitators which includes requesting consideration of conditional overlays like

It was followed by a section A statement of opposition and B section describing their support and a description of what that meant including requesting consideration of conditional overlays such as the one submitted in the letter from yesterday.

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward

this email to cybersecurity@austintexas.gov.

p. 1
9/6/21

TO: Zoning and Platting Commission Members

FROM: Milwood Section 12 (Old Milwood) Neighborhood
Residents Within 500 FT.

RE: C14-2021-0012 Research Park FINAL VERSION
WITH CORRECT CONDITIONAL OVERLAY REQUESTS
(Related case SP2021-0124C)

Please accept our sincerest apologies if you received or saw a pdf version dated 9/1/21 and/or correction emails/ backup files, etc. They are not correct or complete. Our attempts to remove them have been denied. Please disregard all previous copies and use letter below.

C14-2021-0012 Research Park FINAL VERSION WITH
CORRECT CONDITIONAL OVERLAY REQUESTS 9/6/21
Milwood Section 12

We currently live in a 37 year old neighborhood which is rare and unique. It is small in size with 200+ charmingly designed single family homes averaging 1400 sq.ft. Our homes are located on a long avenue or one of the curving streets, coves, or cul-de-sacs lined with mature trees including heritage oaks. Old Milwood is not as affordable as it once was but is still more affordable than other Northwest Austin neighborhoods. We love the diversity of

our residents and this neighborhood which is peaceful, quiet, and family friendly.

SECTION A: OUR CONCERNS AND OPPOSITION

We support the City of Austin 2020 Imagine Austin and Project Connect and the following City of Austin zoning principles:

1. Zoning should satisfy a specific need and not constitute a grant of special privilege to an individual owner; the request should not result in spot zoning.— At Aug. 18th meeting the applicant stated he did not intend to provide any percentage of affordable housing or public transit stops on this property. The applicant's own Research Park portfolio can be found at <https://karlin.alterendeavors.com/portfolio/> It shows a site map for prospective investors which depicts a more exclusive high end mini-Domain like community with Oak Knoll from McNeil to N-183 remaining private. Despite the applicant's claim that this portion of McNeil will later be donated to the city, many private property signs are already posted and a written agreement has not been offered as proof. Please see ~~attachment~~ maps and photos *slides* depicting adjacent Research Park areas ~~are~~ *as* predominantly family residences at ArrowWood/ Milwood Section 12/Rattan Creek, a few neighborhood businesses scattered between trees and neighborhood feeder roads along McNeil, the access

road at N183 and Oak Knoll with landscaping but no businesses, and commercial strip of one story buildings with large setbacks and greenery on Technology Blvd. To find the commercial areas described in the Case Manager's report, you would need to drive over to SB 183 or past trees closer to Riata Trace. There is no need for a PDA combining district in this area. Research Park already has LI zoning and 4-story buildings like Research Park Place which tower in the background behind the one-story commercial buildings on Technology.

2. Granting the zoning should not in any way set an undesirable precedent for other properties in the neighborhood or within other areas of the city.—(See 1, 4, and 6).
3. Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.—There are insufficient buffers between the applicant's property boundaries with Milwood Section 12 homes along Avery Island and Jennings. They do not provide adequate protection from more LI development which results in increased traffic, safety concerns, and air/light/noise pollution. More importantly they do not protect us from the dangers and proximity of the 10 caves and sinkholes in Lot 11 and adjacent Lot 12 neglected wet pond which has a leaking liner, etc.—(See 6.)

4. Zoning should promote clearly identified community goals such as...providing affordable housing and public transit. —(See 1)

5. Rezoning should be consistent with the policies adopted by the City Council and the Planning and Zoning Depts.— (See 1-6)

6. Zoning changes should promote comparability with adjacent and nearby uses and should not result in detrimental impacts on neighborhood character.—

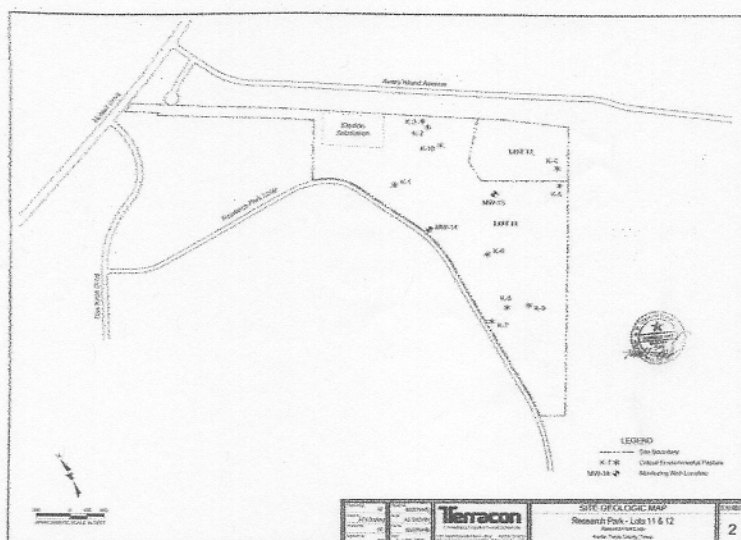
We are aware that environmental concerns are usually dealt with at site plan. However, our case was originally scheduled for the Aug. 17th public zoning hearing after the Luby's case, but it was postponed by consent to Sept. 7th. At the time we weren't aware of the issues in the Luby's case or its outcome. We had already submitted a 1998 TNRCC 0625 (now TCEQ) document to the original B07 back up file which is now in the B03 file. This document gave the number of caves, sinkholes, and solution cavities in 1998, (Please note rules 16 and 18 and Research Park Properties Trust who signed this TNRCC protection plan. More about this part later.)

In the past two weeks, we've seen two different maps and sets of related materials estimating the current number of caves and sinkholes and their locations. We appreciate the applicant for sharing these materials. We requested cross section diagrams of below ground level

cave views and a copy of the geologic report for the entire PDA combining district, but we have not received them from the applicant yet.

A few days ago we had time to examine documents in the public TCEQ files which are the most recent ~~abandoned~~ accurate information available. They are shown in the chart and map below. The number of caves and sinkholes in Lots 11 and 12 has increased to 10. Additional details and descriptions of them plus two previously unknown wells can be accessed at <https://www.tceq.texas.gov/permitting/eapp/eapp-applications-review>

Research Park Lots 11 and 12 cave, sinkhole, and wells



Research Park Lots 11 and 12 Caves Sinkholes Wells Details

ATTACHMENT A

GEOLOGIC ASSESSMENT TABLE										PROJECT NAME: Research Park Lot 11-Multifamily, Research Park Loop, Austin, Texas											
LOCATION			FEATURE CHARACTERISTICS											EVALUATION				PHYSICAL SETTING			
1A	1B	1C	2A	2B	3	4			5	5A	6	7	8A	8B	9	10	11	12			
PROPERTY	LOT/BLK	COMPLIST	FEATURE TYPE	PLATE	FORGIVEN	DIMENSIONS (FEET)			STATUS (REMARKS)	DEPT	DEPTH (FEET)	DEPTH (FEET)	WELL	INFLUENCE INTERFEREN	TOOK	REMARKS	CATEGORY (WELL AREA SUCCESS)	TOPOGRAPHY			
						X	Y	Z		10							<40	>40	<1.8	>1.8	
K-1	30.430030	-97.75011	SH	20	Ked	1.5	1.5	5					O	20	40	X	X		Hilltop		
K-2	30.430642	-97.749001	C	30	Ked	1.5	3	9					N	30	60	X	X		Hilltop		
K-3	30.430777	-97.749013	SH	20	Ked	2.5	2.5	5					O	20	40	X	X		Hilltop		
K-4	30.435001	-97.747208	C	30	Ked	2	6	6.5	NH0E	10			N	30	70	X	X		Hilltop		
K-5	30.434686	-97.747395	C	30	Ked	7	2	5					N	30	60	X	X		Hilltop		
K-6	30.434248	-97.749263	SH	20	Ked	25	20	2.5					O	20	40	X	X		Hilltop		
K-7	30.433191	-97.749850	C	30	Ked	4	4	6					N	30	60	X	X		Hilltop		
K-8	30.433263	-97.749449	SH	20	Ked	15	15	1					O	15	35	X		X	Floodplain		
K-9	30.433133	-97.749064	SH	20	Ked	7	7	5					O	20	40	X	X		Hilltop		
K-10	30.430271	-97.748964	C	30	Ked	2	2	5					N	30	60	X	X		Hilltop		

* DATUM: NAD27			
2A TYPE	TYPE	2B POINTS	2A INFILLING
C	Cave	30	N None, exposed bedrock
SC	Solution cavity	20	C Coarse - cobbles, breakdown, sand, gravel
SF	Solution-enlarged fracture(s)	20	O Loose or soft mud or soil, organics, leaves, sticks, dark colors
F	Fault	20	F Fines, compacted clay-rich sediment, soil profile, gray or red colors
O	Other natural bedrock features	5	V Vegetation. Give details in narrative description
MB	Manmade feature in bedrock	30	FS Flowstone, cements, cave deposits

Due to the proximity and increasing numbers of critical environmental features and wells on the land in Lots 11 and 12, we don't just fear impacts to our neighborhood character. We fear that the proposed zoning threatens the health, welfare, and safety of our residents and their property. We also feel it would have a similar negative impact on Research Park construction workers, future residents at the multifamily, the public in the currently proposed park in lower section of Lot 11, and proposed walking path to and from the park. The proposed public path^{is} over a mile from the deadend at Jennings near McNeil Dr. and along easement boundary in flag portion of Lot 11, Lot 11 multifamily and parking garage, and walking trail adjacent to wet pond in Lot 12 plus the park itself.

As we wait for the cave cross section diagrams and entire PDA combining district geologic study from the applicant, we grow more fearful about the safety and stability of the land and the critical electric substation near Lot 11. Large nearby cave systems were discovered along the widening of McNeil Dr. from Melrose Trail to HEB at Parmer and more recently at McNeil High School parking lot construction. Residents along Jennings and Avery Island Ave. Have long suspected there are similar cave systems in Research Park. They have reported an echo effect which magnifies traffic noise on N. 183, car alarms and dumpsters in Flextronics area of Research

Park, and laundry buzzers at ArrowWood apartments. This echo effect makes these noises sound like they are coming from the backyards of residents' homes instead of far away.

This land is also within the protection of the Balcones Canyonland Preserve and its endangered species and their habitats. About 50 white-tail deer live at Research Park and are often seen at dawn and dusk in the wooded areas of Lots 11 and 12. They will be negatively impacted as much as the land and human residents will during the 2-6 or more years of proposed PDA construction. All of these factors will put an increased demand on our infrastructure and resources.

We respectfully urge you to examine related case SP2021-0124C, the TCEQ geologic data, and the applicant's pending geologic information and diagrams. We also urge you to consider the impact of the existing critical environmental features on the land before making a decision about land use.

SECTION B: CONDITIONAL OVERLAY REQUESTS

If this case moves forward at the public hearing, it is vital to protect the health, safety, and welfare of adjacent residents, their property, and the environment through noise/light/air pollution limits, prohibited uses,

Section B CONDITIONAL OVERLAYS cont

decreased density, restrictive building practices, specific traffic design requirements, etc.

The pre-existing easements, City of Austin service road and substation, flag lot portion of Lot 11, utility lines and poles, and critical environmental features in Lots 11 and 12 interfere with commonly accepted overlay placements and parameters. So does the proposed walking path from the deadend of Jennings in flag lot 11 to and from multi family in Lot 11, failing wet pond in Lot 12, and proposed park in lower section of Lot 11.

We are requesting your consideration of applying the following conditional overlays to the boundaries of C14-2021-0012 which are adjacent to its boundaries with Avery Island Ave. and Jennings as described on the next pages and below.

EXHIBIT "A"

Legal Description:

Lot 1, Lot 10, Lot 11, Lot 15, and Lot 16, Research Park a Resubdivision of Technology Subdivision, a Subdivision in Travis and Williamson Counties, Texas, according to the map or plat thereof recorded in Volume 101, Page(s) 214-217 of the Plat Records of Travis County, Texas, and in Cabinet , Slide(s) 383-386 of the Plat Records of Williamson County, Texas.

Lot 14C, Lot 14D, Lot 14E and Lot 14F, Research Park Section 2, a Resubdivision of Lot 14 of Research Park Subdivision in Travis and Williamson Counties, Texas, according to the map or plat recorded under Document No. 200000371 of the Official Public Records of Travis County, Texas, and Cabinet T, Slide(s) 244-247 of the Plat Records of Williamson County, Texas.

Lot 1-B, Block A, Amended Plat of Research Park Section 3A, a Resubdivision of Lot 1, Block A, Research Park Section 3, in Travis County, Texas, according to the map or plat thereof recorded under Document No. 200200182 of the Official Public Records of Travis County, Texas.

Section B CONDITIONAL OVERLAYS cont.

1. An extended dense continuous and maintained mature tree buffer to within the first 200 ft. of Research Park Lot 14F described in Exhibit "A" and adjacent to single family homes along its closest boundaries with Avery Island Ave. and Jennings AND where applicable in Lot 11 a similar 500ft. extended dense continuous and maintained mature tree buffer around critical environmental features and their ~~and~~ ~~their~~ TCEQ required MITIGATIONS.
2. Prohibited uses expanded to include:
 - a. Laundry services
 - b. Off-site accessory parking
 - c. Outdoor entertainment
 - d. Vehicle storage
 - e. Maintenance and Service Facilities
 - f. Transportation Terminal
 - g. Automotive rentals
 - h. Building maintenance services
 - i. Commercial off-street parking
 - j. Construction sales and services
 - k. Convenience storage
 - l. Drop off recycling collection facility
3. Decreased density from 350 units to 300 units
4. Decreased building heights from 80ft. to 60ft.

Section B CONDITIONAL OVERLAYS cont.

5. Decreased maximum impervious and building cover requirements from 60% to what TCEQ requires

6. Require the following specific traffic design features to minimize the effects of traffic of intersections at Oak Knoll/McNeil/neighborhood feeder roads:

- a. Immediate full TIA including public input and backup files and findings from this and related cases with traffic concerns along McNeil Dr. from Corpus Christi Dr. to Oak Knoll
- b. Full traffic light at Oak Knoll and McNeil Dr.
- c. No right turn on red at Oak Knoll for traffic heading East on McNeil Dr. towards Parmer.
- d. LIMIT number of entire Research Park PDA combining district TOTAL trips per day to 10, 000 or less
- e. Remove and prevent impediments to traffic sight lines (fences, poles, vegetation, signs, etc.) at Neighborhood feeder roads, McNeil Dr., Oak Knoll, and N. 183
- f. At unprotected feeder road intersections along McNeil Dr. and Oak Knoll implement MITIGATIONS (traffic light at Avery Island Ave. and McNeil Dr., adjust traffic lights to allow more time for motorists to enter and exit from unprotected intersections, moratorium on multi families ~~or~~ along McNeil Dr.

Section B CONDITIONAL OVERLAYS cont.

7. Reduce LI / PDA combining district sound decibel levels, lighting, and 24 hour operations to comply with City of Austin neighborhood ordinances within 250ft of boundary of Lot 14F and adjacent to and along Avery Island Ave. and Jennings and also boundaries of Lot 11 adjacent to and along boundaries with Avery Island Ave. from substation to Lot 12 boundary with ArrowWood apts.

Respectfully,
Milwood Section 12 Facilitators

Janet Brooks
6313 Avery Island Ave.
522-731-1762

Angie Netzel
6325 Avery Island Ave.
Austin, TX 78727
512-660-0022

PLEASE NOTE:

1.

Our Milwood Section 12 neighbors are opposed to the current proposed park location in lower section of Lot 11,

because it has dangerous critical environmental features, dense trees which will be removed, a path that exceeds one mile walking distance and is adjacent to additional dangerous critical environmental features, and limited parking access and ADA features. We believe moving the park to Lot 14F adjacent to the deadend walking path at Jennings deadend is a better location with some already flat terrain for sports and games, easier accessibility for Seniors and ADA needs, shorter within 1 mile walking distance, and feasible parking. The park in 14F needs more trees. Perhaps some of the trees removed in Lot 11 and elsewhere at Research Park can be transplanted in Lot 14F.

2. We also object to the neglect of the leaking wet pond in Lot 12 which is supposed to service the multi family in Lot 11. It may have contaminated our groundwater and definitely causes flooding towards backyards and close to foundations of homes around 6007 Avery Island Ave. when it rains heavily. We also object to the abandonment of an unfinished parking garage in Lot 11 which should have been removed and land returned to original state, ^{but} ~~but~~ instead has endangered our lives and property by being a haven for graffiti, drugs, criminal mischief, and homeless camps requiring arrests as recently as July 1, 2021. Its caves and steep ramp have endangered all trespassers including young skateboarders. Research Park Properties Trust signed the TNRCC 1998 protection plan agreement.

Please see TCEQ Lillian Butler questions and answers in backup to verify that applicant cannot commence operation on this land until new protection plan is approved which may take up 90 days. The name Research Park Properties Trust is on some of the tax certificates for lots in this zoning case. See abconnect online site for downloadable documents for this case. Hopefully the tax certificates have been paid and just need to be updated as paid. Proof of Research Park Properties Trust true ownership and its ownership of various Karlin Road Estate LLCs and Karlin Assets Management, etc. is available upon request by contacting us at jlbgk5@ickoud.com